Washington, Thursday, December 29, 1955

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I-Civil Service Commission

Part 6—Exceptions From the Competitive Service

VETERANS' ADDINISTRATION

Effective upon publication in the Federal Register, paragraph (a) (7) is added to § 6.322 as set out below.

§ 6.322 Veterans' Administration—
(a) Office of the Administrator * * *

(7) One Assistant Administrator for Appraisal and Security.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR 1953 Supp)

United States Civil Service Collinission,
[SEAL] Wh. C. Hull,

Executive Assistant.

[F. R. Doc. 55-10429; Filed, Dec. 28, 1955; 8:59 a. m.]

TITLE 7-AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

Subchapter C—Regulations and Standards Under the Farm Products Inspection Act

PART 56—GRADING AND INSPECTION OF SHELL EGGS AND UNITED STATES STAND-ARDS, GRADES, AND WEIGHT CLASSES FOR SHELL EGGS

MISCELLANEOUS AMENDMENTS

The regulations governing the grading and inspection of shell eggs and United States standards, grades and weight classes for shell eggs (7 CFR Part 56) were revised and published in the Federal Register on February 1 and 4, 1955 (20 F R. 667, 757) Most of the provisions of the revised regulations became effective on March 1, 1955. However, changes were made in the weight classes for shell eggs to become effective January 1, 1956 (§§ 56.213 (c) 56.223 (b) and 56.228 (b)) On June 15, 1955, a notice of suspension of the effective date of these paragraphs was published in the Federal Register (20 F. R. 4176) in order

to permit further study and consideration of additional views and arguments submitted by members of the trade and other interested parties with respect to the adverse effect such changes in the weight classes for shell eggs might have on the industry. The amendment heremafter promulgated is pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1007; 7 U. S. C. 1621 et seq.)

After consideration of the additional information submitted it is determined that §§ 56.218 (c), 56.223 (b) and 56.228 (b) should be, and such paragraphs are hereby rescinded, effective upon publica-

tion in the FEDERAL REGISTER.

It is hereby found that it would be impractical, unnecessary, and contrary to the public interest to engage in further public rule making procedures with respect to this rescission or to postpone the effective date thereof until thirty (30) days after publication in the Federal Register for the reasons that (1) the changes in the weight classes are not now m effect and will not require any preparation on the part of industry (2) the additional information received indicates that it would be in the public interest to rescind said paragraphs; and (3) the industry should be advised of this rescission as soon as possible in order that it may plan for future contractual obligations. Therefore, good cause exists for making this reseission effective upon its publication in the FEDERAL REGISTER.

(60 Stat. 1087; 7 U.S. C. 1621-1627)

Issued this 23d day of December 1955.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 55–10422; Filed Dec. 28, 1955; 8:57 a.m.]

Chapter IV—Federal Crop Insurance Corporation

PART 418-WHEAT CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1957 AND SUCCEEDING CROP YEARS

By virtue of the authority contained in the Federal Crop Insurance Act, as (Continued on p. 10017)

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CFR SUPPLEMENTS

(For use during 1955).

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General Index (\$1.25)

All of the Cumulative Pocket Supplements and revised books of the Code of Federal Regulations (as of January 1, 1955) are now available with the exception of Titles 1-3

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amended, the "Regulations for 1953 and Succeeding Crop Years" as amended (16 F. R. 9628, 11565; 17 F. R. 189, 10537; 18 F. R. 439, 3632, 6990, 7222; 19 F. R. 469, 3017, 5603, 8233; 20 F. R. 5054, 8071) which shall continue in full force and effect for the 1956 crop year, are hereby amended for the 1957 and succeeding crop years to read as set forth below. The provisions of this subpart shall apply, until amended or superseded, to all continuous wheat contracts as they relate to the 1957 and succeeding crop years.

Availability of wheat crop insurance. 418.1 Coverages, premium rates, and fixed 418.2 price.

Application for insurance.

418.4 Public notice of indemnities paid.

418.5

Creditors.
The policy.

AUTHORITY: §§ 418.1 through 418.6 issued under secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interpret or apply secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U.S. C. 1507, 1508, 1509.

§ 418.1 Availability of wheat crop insurance. (a) Wheat crop insurance may Wyoming _____ August 31

be provided in counties designated annually by the Manager of the Corporation from a list of countles approved by the Board of Directors of the Corporation. A list of the designated counties shall be published annually by appendix to this section.

(b) Insurance will not be provided in a county for any crop year unless the minimum participation requirement established by the Federal Crop Insurance Act, as amended, is met. For the purpose of determining whether the minimum participation requirement is met, an insurance unit shall be counted as one farm.

§ 418.2 Coverages, premium rates, and fixed price. The Corporation shall establish coverage(s) and premium rate(s) per acre and the fixed price, used to evaluate production, which shall be shown on the county actuarial table on file in the county office and may be revised from year to year.

Application for insurance. (a) Application for insurance on a form prescribed by the Corporation may be made by any person to cover his interest as landlord, owner-operator, or tenant in a wheat crop. For any crop year applications shall be submitted to the county office on or before the following applicable closing date preceding such crop year, except that in counties in Montana and South Dakota with an August 31 closing date, an application for insurance may be filed until the March 31 following the closing date provided that in such cases winter wheat will not be insured for the first crop year of the contract.

State and county	Date
State and county	August 31
Colorado	Do.
Idaho	October 31
Illinois	
Indiana	
Kansas	August 31
Maryland	
Michigan	
Minnesota	March 31
Missouri	September 15
Montana:	
Blaine	August 31
Cascade	D).
Chouteau	Do.
Fergus	Do.
Hill	
W . 1241. The	= :-
Liberty	73.0
Petroleum	Do.
Pondera	Da.
TetonAll other countles	March 31
Nebraska	August 31
New Mexico	
New York	
North Dakota	March 31
Ohio	
Oklahoma	August 31
Oregon	October 31
Pennsylvania	September 15
South Dakota:	4-1
Bennett	August 31
Jones	
Lyman	Do.
Meade	
Mellette	
TrippAll other countles	March 31
Texas	
Utah	
Washington	October 31
Wroming	

§ 418.4 Public notice of indemnities paid. The Corporation shall provide for the posting annually in each county at the county courthouse of a list of the indemnities paid in the county.

§ 410.5 Creditors. An interest m an insured crop existing by virtue of a lien, mortgage, garnishment, levy, execution, bankruptcy, or any involuntary transfer shall not entitle the holder of the interest to any benefit under the contract.

§ 418.6 The policy. The provisions of the policy for 1957 and succeeding crop years are as follows:

Pursuant to the provisions of the appli-cation upon which this policy is issued, which application together with this policy chall constitute the contract, and subject to the terms and conditions set forth herein, the Federal Crop Incurance Corporation (herein called the "Corporation") does insure the applicant (herein called the "insured"), subject to the acceptance of his application, egainst unavoidable less of production on his wheat crop due to drought, flood, hall, wind, frost, winter-hill, lightning, fire, executive rain, enow, wildlife, hurricane, ternado, insect infestation and plant disease. The contract shall not cover any loss due to the neglect or malfessance of the incured, any member of his household, his tenants or employees, or failure to follow recognized good farming practices, or to any cause other than these specified above. No term or condition of the contract shall be waived or changed on behalf of the Corporation except in writing by a duly authorized representative of the Corporation.

TERMS AND CONDITIONS

1. Incured acreage and interect. The incured acreage and interest for each crop year chall be that acreage in the county ceeded to wheat for harvest as grain in which the incured had an interest at the time of eccding and his interest therein at such time as reported by the insured or as de-termined by the Corporation, whichever the Corporation shall elect: Provided, That insurance shall not attach or be considered to have attached on acreege for which a coverage is not shown on the county actuarial table for the crop year or, in counties wherea coverage(s) is established by farming practice(s), on acreage on which the farming practice followed is one for which a coverage is not established except that the Corpora-tion may elect to consider that insurance attached to such acreage on the basis of the farming practice reported by the insured: Provided further, That insurance shall not attach or be considered to have attached on acreage on which it is determined by the Corporation that wheat is (a) destroyed and it is practical to receed to wheat and such acreage is not reacceed to wheat, (b) initially coded too late to expect a normal crop to be produced, (c) volunteer wheat, (d) reeded with flax or other small grains. vetch. Auctrian winter peas, or dry edible peas, (e) of a type or clean not adapted to the area or shown as non-insurable on the county actuarial table, (f) coaded on new ground acreage in counties where the cancellation date is April 39 or June 30. The Corporation reserves the right to limit the insured coreage to the wheat allotment or permitted acreage established under any act of Congress including the Agricultural Adjustment Act of 1633, as amended. For the purpose of determining the amount of loss, the insured interest shall not exceed the incured's interest at the time of less or the beginning of harvest, whichever occurs first.

2. Responsibility of the incured to report serenge and interest. (a) Promptly after ceeding the wheat crop (winter or spring)

each year the insured shall submit to the county office, on a form prescribed by the Corporation, a report showing all acreage of wheat in the county (including a designation of any wheat seeded for purposes other than harvest as grain and all other acreage of wheat to which insurance did not attach) in which he has an interest and his interest therein at the time of seeding. If the insured does not have an interest in any wheat acreage in the county for any year he shall nevertheless submit a report so indicating. Any acreage report submitted by the insured shall be binding upon the insured and shall not be subject to change by him.

(b) If the insured falls to submit the above-mentioned acreage report within 30 days after seeding of wheat (winter or spring) is generally completed in the county, the Corporation may elect to determine the insured acreage and interest or to declare the insured acreage to be "zero"

- 3. Coverage(s), premium rate(s), and fixed price. For each crop year of the contract the coverage(s) and premium rate(s) per acre established for the area in which the insured acreage is located, and the fixed price, used to evaluate production, shall be those established by the Corporation for such crop year and shown on the county actuarial table on file in the county office. The coverage per acre is progressive depending upon whether the acreage is (a) First Stage—released and seeded to a substitute crop, (b) Second Stage—not harvested and not seeded to a substitute crop, or (c) Third Stage—harvested, except that in those counties where so shown on the county actuarial table the coverage per acre shall be progressive depending upon whether the acreage is (a) First Stage—not harvested or (b) Second Stage—harvested.
- 4. Changes in contract. The Corporation reserves the right to change the premium rate(s), coverage(s), fixed price, and other terms and provisions of the contract from year to year. Any changes shall be mailed to the insured or placed on file in the county office at least 15 days prior to the cancellation date preceding the crop year for which the changes are to become effective, and such mailing or filing shall constitute notice to the insured. Failure of the insured to cancel the contract as provided in section 13 shall constitute his acceptance of any such changes.
- 5. Amount of annual premium. (a) The annual premium will be based upon (1) the insured acreage of wheat, (2) the applicable premium rate(s), and (3) the insured interest(s) in the crop at the time of seeding, and with respect to any insured acreage shall be earned and payable when the wheat on such acreage is seeded. There will be a reduction in the annual premium for each insurance unit of 4 percent for the first full 200 acres of insured acreage on the unit and an additional 2 percent reduction for each additional full 100 acres: Provided, however, That the total reduction shall not exceed 20 percent.
- (b) Any amount of the premium which is unpaid on the day following the discount date (the discount date shall be the November 30 following the time the wheat crop is normally harvested) shall be increased by ten percent, which increased amount shall be the premium balance, and thereafter, at the end of each 12 months' period six percent simple interest shall attach to any amount of the premium balance which is unpaid.
- (c) The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutively insured wheat crops (immediately preceding the current crop year) without a loss for which an indemnity was paid. Whether or not the insured is eligible for the above premium reduction, his annual premium may be reduced in lieu of the above in any year by not to exceed 50 percent if it is determined

by the Corporation that the accumulated balance (expressed in bushels) of premiums over indemnities on consecutively insured wheat crops preceding the current crop year exceeds his total coverage (computed on a harvested acreage basis). Nothing in this paragraph shall create in the insured any right to a reduced premium.

(d) If in any year a premium is earned and totals less than \$10.00 the amount shall be increased to \$10.00.

(e). Any unpaid amount due the Corporation by the insured may be deducted from any indemnity payable to the insured by the Corporation or from any loan or payment to the insured under any act of Congress, or program, administered by the United States Department of Agriculture.

6. Insurance period. Insurance on any insured acreage shall attach at the time the wheat is seeded and shall cease upon threshing (in California,120 hours thereafter when combined and in sacks in the field) or removal from the field, whichever occurs first, but in no event shall insurance remain in effect later than October 31 of the calendar year in which the wheat is normally harvested.

7. Notice of loss or substantial damage.
(a) If, during the growing season, the insured wheat crop on any insurance unit is substantially damaged the insured shall promptly give written notice of such damage to the Corporation at the county office.

- (b) If an insured loss occurs on any insurance unit the insured shall give prompt written notice to the Corporation at the county office but in no event shall such notice be given later than 15 days after threshing is completed on the insurance unit or October 31 of the calendar year in which the wheat is normally harvested, whichever is earlier.
- (c) Any insured acreage which is not to harvested shall be left intact until the Corporation makes an inspection.
- (d) The Corporation may reject any claim for loss if any of the requirements of this section are not met.
- 8. Released or damaged acreage. (a) Any acreage of the insured wheat crop may be released by the Corporation after it is too late to reseed to wheat if (1) the Corporation determines that the crop in such acreage is destroyed, or (2) the insured requests a release of acreage which the Corporation determines is not destroyed and agrees to the appraisal by the Corporation of the potential production from such acreage. No insured acreage may be put to another use or planted to a substitute crop until the Corporation releases such acreage. If the wheat crop on insured acreage is damaged but the acreage has not been released by the Corporation, proper measures shall be taken to care for the crop and protect it from further damage.
- (b) Where released acreage is not put to another use, or is reseeded to wheat, the release may be disregarded by the Corporation.
- (c) There shall be no abandonment of any crop or portion thereof to the Corporation.
- 9. Time of loss. Any loss shall be deemed to have occurred at the end of the insurance period unless the entire crop on the insurance unit was destroyed earlier in which event the loss shall be deemed to have occurred on the date of such damage as determined by the Corporation.
- 10. Claims for loss. (a) Any claim for loss on an insurance unit shall be submitted to the Corporation, on a form prescribed by the Corporation, not later than 60 days after the time of loss.
- (b) It shall be a condition precedent to the payment of any loss that the insured establish the production of wheat on the insurance unit and that such loss has been directly caused by one or more of the hazards insured against during the insurance period for the crop year for which the loss is claimed, and furnish any other information

by the Corporation that the accumulated regarding the manner and extent of loss as balance (expressed in bushels) of premiums may be required by the Corporation.

(c) Losses shall be determined separately for each insurance unit. The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the seeded acreage (exclusive of any acreage to which insurance did not attach) by the applicable coverage(s) per acre, (2) subtracting there-from the value (determined in accordance with (d) below) of the total production to be counted for the seeded acreage, and (3) multiplying the remainder by the insured interest. However, if for the insurance unit, the premium computed for the seeded acroage exceeds the premium computed for the acreage and interest shown on the acreage report, the amount of loss so determined shall be reduced proportionately. The total production to be counted for an insurance unit shall include all harvested production (including any harvested production from acreage initially seeded for purposes other than for harvest as grain) and in addition any appraisals which the Corporation determines should be made for potential or un-harvested production, poor farming practices, uninsured causes of loss, failure to carry out the farming practice reported by the insured, or acreage abandoned or put to another use without being released by the Corporation. In determining total production volunteer small grains, volunteer Austrian winter peas, volunteer dry edible peas, and volunteer vetch growing with the seeded wheat crop, and small grains seeded in the growing wheat crop on acreage not released by the Corporation shall be counted as wheat on a weight basis. An appraisal of not less than the applicable coverage, minus the value (determined in accordance with (d) below) of any wheat harvested, shall be made for acreage with a reduced yield due solely to any cause(s) not insured against or acreage abandoned or put to another use without

being released by the Corporation.
(d) In determining any loss under the contract, production shall be valued at the fixed price. However, any threshed wheat which (1) does not grade No. 3 or better and does not grade No. 4 or 5 on the basis of test weight only (determined in accordance with the Official Grain Standards of the United States) because of poor quality due to insurable causes occurring within the insurance period and would not meet these requirements if properly handled, and (2) has a value per bushel which is less than the lower of the fixed price or the Commodity Credit Corporation county loan rate for No. 5 wheat on the basis of test weight, shall be valued by the Corporation at a price not in excess of the fixed price; *Provided*, when the Commodity Credit Corporation county loan rate for No. 5 wheat on the basis of test weight is less than the fixed price the total value of such threshed wheat, as determined by the Corporation, shall be adjusted by dividing it by such loan rate and multiplying the result by the fixed price.

(e) If the production from an insurance unit is commingled with the production from any other acreage and the insured falls to keep records satisfactory to the Corporation of the acreages involved and the production from each, the Corporation may (1) deny liability with respect to all insurance units involved for the crop year without affecting the insured's liability for premium(s), or (2) allocate the commingled production in such manner as it determines appropriate,

11. Payment of indemnity. (a) Any indemnity will be payable within thirty days after a claim for loss is approved by the Corporation, but if payment is delayed for any reason, the Corporation shall not be liable for interest or damage on account of such delay.

(b) If the insured dies, is judicially declared incompetent or disappears after the seeding of the wheat crop in any year, any indemnity which is, or becomes, part of his estate shall be paid to the legal representa-tive of the estate. Should no such representative be qualified, the Corporation may pay the indemnity to the person(s) it determines to be beneficially entitled thereto or to any one or more of such persons on behalf of all such persons, or may withhold payment until a legal representative of the estate is qualified. In such cases, and in any other case where an indemnity is claimed by a person(s) other than the original insured or diverse interests appear with respect to any insurance unit, the determination of the Corporation as to the existence or non-existence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment shall be made shall be final and conclusive. Payment of an indemnity shall constitute a complete discharge of the Corporation's obligations with respect to the loss for which such indemnity is paid.

12. Avoidance of contract. The Corporation may void the contract without affecting the ...insured's liability for premium(s) or waiving any right or remedy including the right to collect any unpaid premium(s) if (a) at any time, either before or after loss, the insured has concealed or misrepresented any material fact or committed any fraud relating to the contract, or (b) the insured fails to give any notice or otherwise fails to comply with the terms of the contract at the time and in the manner prescribed. The Corporation may make such avoidance effective as of the beginning of any crop year with respect to which any act or omission referred to in (a) or (b) above occurred.

- 13. Life of contract, cancellation or termination thereof. (a) Subject to the provisions of this section, the contract shall be in effect for the first crop year specified on the application and shall continue in effect for each succeeding crop year until canceled by either the insured or the Corporation. Cancellation may be made by either party giving written notice to the other party on or before the applicable cancellation date shown in section 22 preceding the crop year for which the can-cellation is to become effective: Provided, however, That (1) if by the March 31 following such cancellation date for all counties with a December 31 cancellation date, any amount due the Corporation under this contract remains unpaid, or (2) if by such cancellation date for all other counties, any amount due the Corporation under this contract, except the premium due on the crop harvested or to be harvested in the calendar year in which the cancellation date occurs. remains unpaid, the contract shall terminate as if canceled by the Corporation prior to such cancellation date. Any notice of cancellation by the insured shall be in writing and shall be filed with the county office. The Corporation shall mail any notice of cancellation to the insured's last known address and mailing shall constitute notice to the insured.
- (b) If the insured cancels the contract, he shall not be eligible for wheat crop insurance in the county in the next succeeding crop year unless he subsequently applies for insurance on or before the cancellation date preceding such year.
- (c) If the Corporation determines that the county minimum participation requirement established by the Federal Crop Insurance Act, as amended, is not met for any crop year, insurance shall not be in effect for that crop year and the contract shall terminate.
- (d) The contract shall terminate upon death or judicial declaration of incompetence of the insured, except that if such death or judicial declaration of incompetence occurs after the beginning of seeding of the wheat crop in any crop year but before the end of the insurance period for such year,

the contract shall (1) not terminate until the end of such insurance period, and (2) cover any additional wheat seeded for the insured or his estate for that crop year.

14. Transfer of interest. If the incured transfers all or a part of his incured interest in a wheat crop before the beginning of harvest and the time of loss, the transferce may obtain the benefits of the contract for the current crop year on the interest transferred if within 15 days after the date of transfer he (1) submits to the county office such information concerning the transfer as may be required by the Corporation, and (2) makes arrangements satisfactory to the Corporation for the payment of any unpaid premium on the interest transferred. Upon approval of a transfer of interest by the Corporation, the transferee and transferer chall be jointly and ceverally liable for any unpaid premium on the interest transferred. Any transfer shall be subject to the conditions of the contract including any collateral assignment made by the transferor, and the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than if the transfer had not taken place.

15. Collateral assignment. The original insured may assign his right to an indemnity for any year under the contract by executing a form prescribed by the Corporation and upon approval thereof by the Corporation the interest of the assignee will be recognized and the assignee shall have the right to submit the loss notices and forms as required by the contract if the insured neglects or refuses to take such action.

16. Subrogation. The insured acaigns to the Corporation all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and shall execute all papers required and take such other action as may be necessary to secure such rights.

17. Other insurance. If the insured has other insurance, whether valid or not, against (a) more than two of the riche insured against under this contract, or (b) damage by fire during the insurance period, and there is damage from a rick(s) co insured against, the Corporation shall not be liable, unless it otherwise elects, for a greater proportion of any loss under this contract than the coverage under this contract for the insurance unit(s) involved bears to the total of all coverages.

18. Records and access to farms. The insured shall keep or cauce to be kept, for two years after the time-of loss, records of the harvesting, storage, shipment, cale or other disposition of all wheat produced on each insurance unit covered by the contract and separate records showing the came informa-tion for production on any unincured acreage in the county in which he has an interest. Any persons designated by the Corporation shall have access to such records and the farm(s) for purposes related to the contract.

19. Forms. Copies of forms referred to in the contract are available at the county office.

20. Meaning of terms. For purposes of the wheat insurance program:

(a) "County" means the area shown on

the county actuarial table which may include farms located in a local producing

area(s) bordering on the county.
(b) "County actuarial table" means the form(s) and related materials (including the crop insurance maps) which are approved annually by the Corporation and chow the fixed price, the coverages per acre and the premium rates per acre applicable in the county.

(c) "County office" means the Corporation's office for the county shown on the application for insurance or such other office as may be specified by the Corporation

from time to time.
(d) "Crop year" means the period within which the wheat crop is seeded and normally harvested, and shall be designated by reference to the calendar year in which the crop is normally harvested.

(e) "Harvest" means the mechanical severance from the land of matured wheat for threching where the wheat crop has not been destroyed.

(f) "Incurance unit" means (1) all the insurable acreage of wheat in the county in which the insured has 100 percent interest at the time of ceeding, or (2) all the insurable acreage of wheat in the county which is owned by one person and is operated by the incured as a tenant at the time of seeding, or (3) all the incurable acreage of wheat in the county which is owned by the insured and is rented to one tenant at the time of ceeding. Land rented for each or for a fixed commodity payment chall be considered as owned by the lessee.

(g) "New ground acreage" means any acreage which has not been planted to a crop in any one of the previous three crop years, except (1) acreage in tame hay or rotation pasture during the previous crop year, and (2) (applicable only in Montana) any acreage which has been properly summer fol-lowed the previous crop year in accordance with good farming practices in the area chall not be considered new ground acreage.

(h) "Percon" means an individual, partnership, accordation, corporation, estate, or trust or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(i) "Substitute crop" means any crop except lespedeza, annual legumes used for a green manure crop or for a cover crop and not harvested, blennial and perennial legumes and perennial grasses, planted on released acreage before harvest of wheat becomes general in the county (in California, before wheat generally in the area is mature) as determined by the Corporation. Biennial and perennial legumen and perennial grasces ceeded with the wheat or in the growing wheat crop chall not be considered a substitute crop. If other small grains are seeded in a growing wheat crop on released acreage, crop of mixed wheat and other grains

chall be considered a substitute crop.

(j) "Tenant" means a person who rents land from another person for a share of the wheat crop, or proceeds therefrom, produced

on such land.

21. Irrigated acreage. (a) The acreage of wheat which shall be incured on the basis of irrigated coverage in any year shall not exceed the smaller of (i) that acreage which could be irrigated adequately with the facilitles available, taking into consideration the amount of water required to irrigate the acreage of all irrigated crops on the farm, or (ii) that acreage on which one irrigation is carried out in accordance with good farming practices as determined by the Corpora-tion, either before the crop is seeded or during the growing ceason. Insurance shall not attach with respect to acreage seeded to wheat the first year after being leveled.

(b) In addition to the causes of less incured against shown on the first page of this policy the contract shall cover loss in production, due to failure of the water supply from natural causes, that could not be foreseen and prevented by the insured, including (1) lowering of the water level in pump wells adequate at the beginning of the growing season to the extent that either deepening the well or drilling a new well would be necessary to obtain an adequate supply of water, (2) failure of public power used for pumping or failure of an irrigation district or water company to deliver water where such failure is not within the control of the

insured, and (3) the collapse of casing in wells.

(c) The contract shall not cover loss in production caused by (1) failure properly to apply adequate irrigation water to wheat when needed and in accordance with recognized good farming practice for the area, (2) failure to provide adequate casing or properly to adjust the pumping equipment in the event of a lowering of the water level in pump wells when such adjustment can be made without deepening the well, (3) failure properly to apply irrigation water to wheat in proportion to the need of the crop and the amount of water available for all irrigated crops, and (4) shortage of irrigation water on any farm where the Corporation determines that the total acreage of all irrigated crops on the farm is in excess of that which could be irrigated properly with the facilities available and with the supply of irrigation water which could be reasonably expected.

22. Date table. For each year of the contract the cancellation date is as follows:

	Cancellation
State and county.	date
California	April 30
Colorado	Do.
o Idaho	June 30
Illinois	Do.
Indiana	Do.
Kansas	April 30
Maryland	June 30
Michigan	Do.
Minnesota	December 31
Missouri	June 30
Montana:	
Blaine	Do.
Cascade	Do.
Chouteau	Do.
Fergus	Do.
Hill	Do.
Judith Basin	Do.
Liberty	Do.
Petroleum	Do.
Pondera	Do.
Teton	Do.
All others	December 31
Nebraska	April 30
New Mexico	Do.
New York	June 30
North Dakota	December 31
Ohio	June 30
Oklahoma	April 30
Oregon	June 30
Pennsylvania	Do.
South Dakota:	
Bennett-	April 30
Jones	Do.
Lyman	Do.
Meade	Do.
Mellette	Do.
Tripp	Do.
_ All others	December 31
Texas	April 30
Utah	June 30
Washington	Do.
Wyoming	April 30

Note: The reporting and record-keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

Adopted by the Board of Directors on December 16, 1955.

[SEAL]

C. S. LAIDLAW Secretary, Federal Crop Insurance Corporation.

Approved on December 22, 1955.

TRUE D. MORSE. Acting Secretary.

[F. R. Doc. 55-10406; Filed, Dec. 28, 1955; 8:54 a. m.1

[Amdt. 1]

PART 419-COTTON CROP INSURANCE

SUBPART-REGULATIONS FOR THE 1956 AND SUCCEEDING CROP YEARS

The above identified regulations (20 R. 7984) -are hereby amended for Saint Landry Parish, Louisiana, effective beginning with the 1956 crop year as follows:

The paragraph preceding section 1 of the policy shown in § 419.7 is amended by striking the period appearing at the end of the first sentence thereof, substituting a semicolon therefor, and adding the following language: "Provided, That in Saint Landry Parish, Louisiana, flood as a cause of loss insured against shall not include damage caused by the use or overflow of the Atchafalaya River Spillway,"

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516, Interprets or applies secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U. S. C. 1507, 1508, 1509)

Adopted by the Board of Directors on December 16, 1955.

[SEAL]

C. S. LAIDLAW. Secretary.

Federal Crop Insurance Corporation.

Approved on December 22, 1955.

True D. Morse, Acting Secretary.

[F. R. Doc. 55-10408; Filed, Dec. 28, 1955; 8:54 a. m.]

PART 421-DRY EDIBLE BEAN CROP INSTIRANCE

SUBPART-REGULATIONS FOR THE 1956 AND SUCCEEDING CROP YEARS

By virtue of the authority contained in the Federal Crop Insurance Act, as amended, the "Regulations for the 1950 and Succeeding Crop Years," as amended (14 F R. 7684, 15 F R. 2485, 9034; 16 F R. 3973, 7695, 9302; 17 F R. 5980, 10537 18 F R. 3634, 6992; 19 F R. 5604, 9365; 20 F R. 1583, 5626) which shall continue in full force and effect for the 1955 crop year, are hereby amended for the 1956 and succeeding crop years to read as set forth below. The provisions of this subpart shall apply, until amended or superseded, to all continuous bean crop contracts as they relate to the 1956 and succeeding crop years.

Sec.

421.1 Availability of bean crop insurance. 421.2 Coverages, premium rates, and fixed

prices. 421.3 Application for insurance.

421.4 Public notice of indemnities paid.

Creditors.

421.6 The policy.

AUTHORITY: §§ 421.1 to 421.6 issued under secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interpret or apply secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U. S. C. 1507, 1508, 1509.

§ 421.1. Availability of bean crop insurance. (a) Bean crop insurance may be provided in counties designated annually by the Manager of the Corporation from a list of counties approved by

the Board of Directors of the Corporation. A list of the designated counties and the class(es) of beans to be insured shall be published annually by appendix to this section.

(b) Insurance will not be provided in a county for any crop year unless the minimum participation requirement established by the Federal Crop Insurance Act, as amended, is met. For the purpose of determining whether the minimum participation requirement is met. an insurance unit shall be counted as one farm.

§ 421.2 Coverages, premium rates and fixed prices. The Corporation shall establish coverage(s) and premium rate(s) per acre and the fixed price(s), used to evaluate production, which shall be shown on the county actuarial table on file in the county office and may be revised from year to year.

Application for insurance. Application for insurance on a form prescribed by the Corporation may be made by any person to cover his interest as landlord, owner-operator, or tenant, in a bean crop. For any crop year applications shall be submitted to the county office on or before the May 15 preceding such crop year.

§ 421.4 Public notice of indemnities paid. The Corporation shall provide for the posting annually in each county at the county courthouse of a list of the indemnities paid in the county.

§ 421.5 Creditors. An interest in an insured crop existing by virtue of a lien, mortgage, garnishment, levy, execution, bankruptcy or any involuntary transfer shall not entitle the holder of the interest to any benefit under the contract.

§ 421.6 The policy. The provisions of the policy for the 1956 and succeeding crop years are as follows:

Pursuant to the provisions of the application upon which this policy is issued, which application together with this policy shall constitute the contract, and subject to the terms and conditions set forth herein, the Federal Crop Insurance Corporation (herein called the "Corporation") does insure the applicant (herein called the "insured"), subject to the acceptance of his application, against unavoidable loss of production on his dry edible bean crop due to drought, flood, hail, wind, frost, freeze, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation and plant disease. The contract shall not cover any loss due to the neglect or malfeasance of the insured, any member of his household, his tenants or employees, or failure to follow recognized good farming practices, or to any cause other than those specified above. No term or condition of the contract shall be waived or changed on behalf of the Corporation except in writing by a duly authorized representative of the Corporation.

TERMS AND CONDITIONS

1. Insured acreage and interest. The insured acreage and interest for each crop year shall be that acreage in the county planted to dry edible beans of the class(es) shown on the county actuarial table in which the insured had an interest at the time of planting and his interest therein at such time as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect: *Provided*, That insurance shall

not attach or be considered to have attached on acreage for which a coverage is not shown on the county actuarial table for the crop year or, in counties where a coverage(s) is established by farming practice(s), on acreage on which the farming practice followed is one for which a coverage is not established except that the Corporation may elect to consider that insurance attached to such acreage on the basis of the farming practice reported by the insured. Provided further, That insurance shall not attach or be considered to have attached on acreage on which it is determined by the Corporation that beans are (a) destroyed and it is practical to replant to beans and such acreage is not replanted to beans, (b) initially planted too late to expect a normal crop to be produced, or (c) planted on new ground acreage. The Corporation reserves the right to limit the insured acreage to the bean allotment or permitted acreage established under any act of Congress including the Agricultural Adjustment Act of 1938, as amended. For the purpose of determining the amount of loss, the insured interest shall not exceed the insured's interest at the time of loss or the beginning of harvest, whichever occurs first.

2. Responsibility of the insured to report acreage and interest. (a) Promptly after planting the bean crop each year the insured shall submit to the county office, on a form prescribed by the Corporation, a report showing all acreage in the county planted to beans in which he has an interest and his interest therein at the time of planting. If the insured does not have an interest in any bean acreage in the county for any year he shall nevertheless submit a report so indicating. Any acreage report submitted by the insured shall be binding upon the insured and shall

not be subject to change by him.
(b) If the insured falls to submit the above-mentioned acreage report within 30 days after planting of beans is generally completed in the county, the Corporation may elect to determine the insured acreage and interest or to declare the insured acreage to

be "zero"

- 3. Coverage(s), premium rate(s) and fixed price(s). For each crop year of the contract the coverage(s) and premium rate(s) per acre established for the area in which the insured acreage is located, the fixed price(s) used to evaluate production, and the class(es) of beans to be insured shall be those established by the Corporation for such crop year and shown on the county actuarial table on file in the county office. The coverage per acre is progressive by stages of production which are: (a) First Stage—not pulled or cut, (b) Second Stage—pulled or cut but not threshed, or (c) Third Stage threshed.
- 4. Changes in contract. The Corporation reserves the right to change the premium rate(s), coverage(s), fixed price(s), class(e3) of beans to be insured, and other terms and provisions of the contract from year to year. Any changes shall be mailed to the insured or placed on file in the county office at least 15 days prior to the cancellation date preceding the crop year for which the changes are to become effective, and such mailing or filing shall constitute notice to the insured. Failure of the insured to cancel the contract as provided in section 13 shall constitute his acceptance of any such changes.

5. Amount of annual premium. annual premium will be based upon (1) the insured acreage of beans, (2) the applicable premium rate(s), and (3) the insured interest(s) in the crop at the time of planting, and with respect to any insured acreage shall be earned and payable when the beans on

such acreage are planted.

(b) Any amount of the premium which is unpaid on the day following the discount date (the discount date shall be the November 30 following planting) shall be increased by ten percent, which increased amount shall

be the premium balance, and thereafter, at the end of each 12 months' period, cix percent simple interest shall attach to any amount of

the premium balance which is unpaid.
(c) The insured's annual premium for any ear may be reduced 25 percent if he has had seven consecutively insured han crops (immediately preceding the current crop year) without a loss for which an indemnity was paid. If the insured is not eligible for the above premium reduction, his annual premium may be reduced 25 percent if it is determined by the Corporation that his accumulated balance, expressed in dollars, of premiums over indemnities on consecutively insured bean crops preceding the current crop year exceeds his total coverage (computed on the basis of the coverage applicable to threshed acreage). Nothing in this paragraph shall create in the insured any right to a reduced premium.

(d) If in any year a premium is carned and totals less than \$10.00 the amount chall

be increased to \$10.00.

(e) Any unpaid amount due the Corporation by the insured may be deducted from any indemnity payable to the insured by the Corporation or from any lean or payment to the insured under any act of Congress, or program, administered by the United States Department of Agriculture.

6. Insurance period. Insurance on any insured acreage shall attach at the time the beans are planted and shall cease upon threshing or removal from the field, whichever occurs first, but in no event shall insurance remain in effect later than December 15 of the calendar year in which beans

are normally harvested.
7. Notice of loss or substantial damage.
(a) If, during the growing season, the insured bean crop on any insurance unit is substantially damaged the insured shall promptly give written notice of such damage to the Corporation at the county office.

(b) If an insured loss occurs on any insurance unit the insured shall give prompt written notice to the Corporation at the county office but in no event shall such notice be given later than 15 days after threshing is completed on the incurance unit or December 15 of the calendar year in which the beans are normally harvested, whichever is earlier.

(c) Any insured acreage which is not to be harvested shall be left intact until the Corporation makes an inspection.

(d) The Corporation may reject any claim. for loss if any of the requirements of this section are not met.

- 8. Released or damaged acreage. (a) Any acreage of the insured bean crop may be released by the Corporation after it is too late to replant to beans if (1) the Corporation determines that the crop on such acreage is destroyed, or (2) the insured requests a release of acreage which the Corporation determines is not destroyed and agrees to the appraisal by the Corporation of the potential production from such acreage. No insured acreage may be put to another use until the Corporation releases such acreage. If the bean crop on insured acreage is damaged but the acreage has not been released by the Corporation, proper measures shall be taken to care for the crop and protect it from further damage.
- (b) Where released acreage is not put to another use, 'or is replanted to brans, the release may be disregarded by the Corporation.
- (c) There shall be no abandonment of any

crop or portion thereof to the Corporation.

9. Time of loss. Any loss shall be deemed to have occurred at the end of the insurance period unless the entire crop on the incur-ance unit was destroyed earlier in which event the loss shall be deemed to have cccurred on the date of such damage as determined by the Corporation.

10. Claims for loss. (a) Any claim for loss on an incurance unit chall be submitted to the Corporation, on a form prescribed by the Corporation, not later than 60 days after the time of less.

(b) It chall be a condition precedent to the payment of any loss that the insured catablish the production of beans on the incurance unit and that such loss has been directly caused by one or more of the hazards insured against during the insurance period for the crop year for which the loss is claimed, and furnish any other information regarding the manner and extent of loss as may be required by the Corporation.

(c) Losses chall be determined separately for each incurance unit. The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the planted acreage (exclusive of any acreage to which incurance did not attach) by the applicable coverage(c) per acre, (2) subtracting therefrom the value (determined in accordance with (d) below) of the total production to be counted for the planted acreage, and (3) multiplying the remainder by the insured interest. However, if for the insurance unit, the premium computed for the planted acreage exceeds the premium computed for the acreage and interest chown on the acreage report, the amount of loss so determined shall be reduced proportionately. The total production to be counted for an insurance unit chall include all threshed production and in addition any appraisals which the Corporation determines should be made for potential or unthreshed production, poor farming practices, unincured causes of loss, failure to carry out the farming practice reported by the incured, or acreage abandoned or put to another use without being released by the Corporation. An appraisal of not less than the applicable coverage, minus the value (determined in accordance with (d) below) of any beans threshed, shall be made for acreage with a reduced yield due solely to any cauca(s) not incured against or acreage abandoned or put to another use without being released by the Corporation.

(d) In determining any loss under the contract, threshed production shall be valued at the fixed price for the applicable grade or pick, except that any threshed production of keens which will not meet any U.S. Grade or pick shown on the county actuarial table because of poor quality due to insured causes occurring within the insurance period and would not meet these requirements if properly handled, shall be valued at the lemer of the lowest price shown on the county actuarial table for that class of beans or the market value of such beans as determined by the Corporation. Any potential or unthreched production to be counted shall be valued at the fixed price shown on the county actuarial table for this purpose.

(e) If the production from an incurance (a) If the production from an instrumed that is commingled with the production from any other acreage and the insured fails to keep records cathefactory to the Corporation of the acreages involved and the production from each, the Corporation may (1) deny liability with respect to all insurance units involved for the crop year without affecting the incured's Hability for premi-um(s), or (2) allocate the commingled production in such manner as it determines appropriate.

11. Payment of indemnity. (a) Any indemnity will be payable within 30 days after a claim for less is approved by the Corporation, but if payment is delayed for any reacon, the Corporation chall not be liable for interest or damage on account of such delay.

(b) If the insured dies, is judicially de-clared incompetent or disappears after the planting of the bean crop in any year, any indemnity which is, or becomes, part of his estate chall be paid to the legal representative of the estate. Should no such representative be qualified, the Corporation may pay the indemnity to the person(s) it determines to be beneficially entitled thereto or to any one or more of such persons on behalf of all such persons, or may withhold payment until a legal representative of the estate is qualified. In such cases, and in any other case where an indemnity is claimed by a person(s) other than the original insured or diverse interests appear with respect to any insurance unit, the determination of the Corporation as to the existence or non-existence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment shall be final and conclusive. Payment of an indemnity shall constitute a complete discharge of the Corporation's obligations with respect to the loss for which such indemnity is paid.

12. Avoidance of contract. The Corporation may void the contract without affecting the insured's liability for premium(s) or waiving any right or remedy including the right to collect any unpaid premium(s) if (a) at any time, either before or after loss, the insured has concealed or misrepresented any material fact or committed any fraud relating to the contract, or (b) the insured falls to give any notice or otherwise falls to comply with the terms of the contract at the time and in the manner prescribed. The Corporation may make such avoidance effective as of the beginning of any crop year with respect to which any act or omission referred to in (a) or (b) above occurred.

13. Life of contract, cancellation or termination thereof. (a) Subject to the provisions of this section, the contract shall be in effect for the first crop year specified on the application and shall continue in effect for each succeeding crop year until canceled by either the insured or the Corporation. Cancellation may be made by either party giving written notice to the other party on or before the cancellation date which shall be the March 15 preceding the crop year for which the cancellation is to become effective: Provided, however, That if by the May 15 following such cancellation date any amount due the Corporation under this contract remains unpaid, the contract shall terminate as if canceled by the Corporation prior to such cancellation date. Any notice of cancellation by the insured shall be in writing and shall be filed with the county office. The Corporation shall man any notice of cancellation to the insured's last known address and mailing shall constitute notice to the insured.

(b) If the insured cancels the contract, he shall not be eligible for bean crop insurance in the county in the next succeeding crop year unless he subsequently applies for insurance on or before the cancellation date preceding such year.

(c) If the Corporation determines that the county minimum participation requirement established by the Federal Grop Insurance Act, as amended, is not met for any crop year, insurance shall not be in effect for that crop year and the contract shall terminate.

(d) The contract shall terminate upon death or judicial declaration of incompetence of the insured, except that if such death or judical declaration of incompetence occurs after the beginning of planting of the bean crop in any crop year but before the end of the insurance period for such year, the contract shall (1) not terminate until the end of such insurance period, and (2) cover any additional beans planted for the insured or his estate for that crop year.

14. Transfer of interest. If the insured transfers all or a part of his insured interest in a bean crop before the beginning of harvest and the time of loss, the transferee may obtain the benefits of the contract for the current crop year on the interest trans-

ferred if within 15 days after the date of transfer he (1) submits to the county office such information concerning the transfer as may be required by the Corporation, and (2) makes arrangements satisfactory to the Corporation for the payment of any unpaid premium on the interest transferred. Upon approval of a transfer of interest by the Corporation, the transferee and transferor shall be jointly and severally liable for any unpaid premium on the interest transferred. Any transfer shall be subject to the conditions of the contract including any collateral assignment made by the transferor, and the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than if the transfer had not taken place.

15. Collateral assignment. The original insured may assign his right to an indemnity for any year under the contract by executing a form prescribed by the Corporation and upon approval thereof by the Corporation the interest of the assignee will be recognized and the assignee shall have the right to submit the loss notices and forms as required by the contract if the insured neglects or refuses to take such action.

16. Subrogation. The insured assigns to the Corporation all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and shall execute all papers required and take such other action as may be necessary to secure such rights.

be necessary to secure such rights.

17. Other insurance. If the insured has other insurance, whether valid or not, against (a) more than two of the risks insured against under this contract, or (b) damage by fire during the insurance period, and there is damage from a risk(s) so insured against, the Corporation shall not be liable, unless it otherwise elects, for a greater proportion of any loss under this contract than the coverage under this contract for the insurance unit(s) involved bears to the total of all coverages.

18. Records and access to farm. The insured shall keep or cause to be kept, for two years after the time of loss, records of the harvesting, storage, shipment, sale or other disposition of all beans produced on each insurance unit covered by the contract, and separate records showing the same information for production on any uninsured acreage in the county in which he has an interest. Any person designated by the Corporation shall have access to such records and the farm(s) for purposes related to the contract.

19. Forms. Copies of forms referred to in the contract are available at the county

20. Meaning of terms. For the purpose of the bean insurance program:

(a) "County" means the area shown on the county actuarial table which may include farms located in a local producing area(s) bordering on the county.

(b) "County actuarial table" means the form(s) and related materials (including the crop insurance maps) which are approved annually by the Corporation and show the fixed price(s), the coverages per acre and the premium rates per acre applicable in the county.

(c) "County office" means the Corporation's office for the county shown on the application for insurance or such other office as may be specified by the Corporation from time to time.

(d) "Crop year" means the period within which the bean crop is planted and normally harvested, and shall be designated by reference to the calendar year in which the

crop is normally harvested.

(e) "Harvest" means pulling or cutting matured beans for threshing where the bean crop has not been destroyed.

(f) "Insurance unit" means (1) all the insurable acreage of beans in the county in

which the insured has 100 percent interest at the time of planting, or (2) all the insurable acreage of beans in the county which is owned by one person and is operated by the insured as a tenant at the time of planting, or (3) all the insurable acreage of beans in the county which is owned by the insured and is rented to one tenant at the time of planting. Land rented for each or for a fixed commodity payment shall be considered as owned by the lessee.

(g) "New ground acreago" means any acreage which has not been planted to a crop in any one of the previous three crop years, except that acreage in tame hay or rotation pasture during the previous crop year shall not be considered new ground acreage.

(h) "Person" means an individual, partnership, association, corporation, estate, or trust or other business enterprise or other legal entity, and wherever applicable a State, a political subdivision of a State, or any agency thereof.

(1) "Pick" means the defects consisting of

(1) "Pick" means the defects consisting of splits, damaged beans, contrasting classes and foreign material included in net weight beans, and where used shall be expressed in terms of percent of net weight beans.

terms of percent of net weight beans.

(j) "Tenant" means a person who rents land from another person for a share of the bean crop, or proceeds therefrom, produced on such land.

21. Irrigated acreage. (a) The acreage of beans which shall be insured on the basis of irrigated coverage in any year shall not exceed the smaller of (i) that acreage which could be irrigated adequately with the facilities available, taking into consideration the amount of water required to irrigate the acreage of all irrigated crops on the farm, or (ii) that acreage on which one irrigation is carried out in accordance with good farming practices as determined by the Corporation, either before the crop is planted or during the growing season. Insurance shall not attach with respect to acreage planted to beans the first year after being levoled.

(b) In addition to the causes of loss insured against shown on the first page of this policy the contract shall cover loss in producetion, due to failure of the water supply from natural causes, that could not be foreseen and prevented by the insured, including (1) lowering of the water level in pump wells adequate at the beginning of the growing season to the extent that either deepening the well or drilling a new well would be necessary to obtain an adequate supply of water, (2) failure of public power used for pumping or failure of an irrigation district or water company to deliver water where such failure is not within the control of the insured, and (3) the collapse of casing in wells.

(c) The contract shall not cover loss in production caused by (1) failure properly to apply adequate irrigation water to beans when needed and in accordance with recognized good farming practices for the area, (2) failure to provide adequate casing or properly to adjust the pumping equipment in the event of a lowering of the water level in pump wells when such adjustment can be made without deepening the well, (3) failure properly to apply irrigation water to beans in proportion to the need of the crop and the amount of water available for all irrigated crops, and (4) shortage of irrigation water on any farm where the Corporation determines that the total acreage of all irrigated crops on the farm is in excess of that which could be irrigated properly with the facilities available and with the supply of irrigation water which could be reasonably expected.

Note: The reporting and record-keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board of Directors on December 16, 1955.

[SEAL]

C. S. LAIDLAW, Secretary,

Federal Crop Insurance Corporation.

Approved on December 22, 1955.

TRUE D. MORSE, Acting Secretary.

[F. R. Doc. 55-10407; Filed, Dec. 28, 1955; 8:54 a. m.l

[Amdt. 2]

PART 424—BARLEY CROP INSURANCE

SUBPART-REGULATIONS FOR THE 1956 AND SUCCEEDING CROP YEARS

The above identified regulations (19 F. R. 9315; 20 F R. 7637) are hereby amended, effective beginning with the 1956 crop year as follows:

1. Subsection (d) of section 10 of the policy shown in § 424.6 is amended to read as follows:

(d) In determining any loss under the contract, production shall be valued at the fixed price, except that any threshed production of barley which will not meet the latest available requirements for a Commodity Credit Corporation loan or support because of poor quality due to insured causes occurring within the insurance period and would not meet these requirements if properly handled, shall be valued by the Corporation at a price not in excess of the fixed price.

(Secs. 506, 516, 52 Stat. 73, 77, as amended; 7 U. S. C. 1506, 1516. Interprets or applies secs. 507, 508, 509, 52 Stat. 73, 74, 75, as amended; 7 U.S. C. 1507, 1508, 1509)

Adopted by the Board of Directors on December 16, 1955.

[SEAL]

C. S. LAIDLAW. Secretary

Federal Crop Insurance Corporation.

Approved on December 22, 1955.

TRUE D. MORSE. Acting Secretary.

[F. R. Doc. 55-10405; Filed, Dec. 28, 1955; 8:54 a. m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 728-WHEAT

Subpart-1956-57 Marketing Year

DETERMINATION OF COUNTY NORMAL YIELDS FOR 1956 CROP

The regulations contained in § 728.608 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the determination of county normal yields of wheat for 1956, including the appraisal of yields for years in the ten-year period used in determining county normal yields for which the data are not available or in which there were no actual yields.

No. 252-2

Prior to preparing the regulations in § 728.603, public notice (20 F. R. 635) was given in accordance with the Administrative Procedure Act. The data, views, and recommendations pertaining to the regulations in § 728.608, which were cubmitted, have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1933, as amended.

§ 728.603 Determination of county normal yields for 1956 crop of wheat.

(a) A normal yield shall be determined for each wheat-producing county, except counties in States designated as outside the commercial wheat-producing area. A county normal yield for 1956 shall be determined on the basis of the average yield per acre of wheat for the county during the ten calendar years, 1945 through 1954, adjusted for abnormal weather conditions and trends in yields. In adjusting for abnormal weather conditions: (1) If the yield in any year of the nine-year period 1945 through 1953 was adjusted for abnormal weather conditions in determining the county normal yield for 1955 (§ 728.509, 19 F. R. 8128), such adjustment shall be applicable in determining the county normal yield for 1956; (2) if the yield for the crop of 1954 is less than 75 per centum of the average of the ten-year period 1945 through 1954 (computed without regard to such year) on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, such year shall be eliminated in calculating the normal yield per acre; and (3) if the yield for the crop of 1954 is more than 125 per centum of the average of the tenyear period 1945 through 1954 (computed without regard to such year) on account of abnormal weather conditions, there shall be substituted for such year a yield equivalent to 125 per centum of the average of the ten-year period 1945 through 1954 (computed without regard to such year)

(b) The adjustment for trends in yields shall be made by (1) multiplying the county normal yield of wheat determined for 1955 by ten; (2) deducting therefrom the yield for the crop of 1944, adjusted for abnormal weather conditions as indicated above; (3) adding to the remainder twice the yield for the crop of 1954 adjusted for abnormal weather conditions as indicated above; and (4) dividing the sum by eleven.

(c) If for any year of the ten-year period 1945 through 1954 the data are not available or there was no actual yield, the yield for such year shall be appraised by taking into consideration the yields in years for which data are available, and the yields for such year in nearby or adjacent counties, or crop reporting districts recognized by the Agricultural Marketing Service, in which the type of soil, topography, and farming practices associated with the production of wheat are similar.

(d) County normal yields for the 1956 crop of wheat, determined as indicated by paragraphs (a) to (c) of this section are as follows:

1956 Wheat Marketing Quota Program County Normal Villes in Bushels per Accer

Armansis				
Normal	Normal			
County yield Ariancas 13.8	County yield Lawrence 14.1			
Arkancas 13.9	Lawrence 14.1			
Achley 11.3 Easter 9.9	Lee 15.8 Lincoln 11.2			
Benton 13.3	Little River 10.4			
Econe 12.0	Leran 12.5			
Carroll 13.5 Chicot 13.3	Lonoite 17.0			
Clay 14.6	Madicon 11.5 Marion 10.3			
Cleburne 9.0 Cleveland 13.4	Miller 11.9 Miccissippi 20.0			
Cleveland 13.4	Micciesippi 20.0			
Columbia 10.3 Conway 12.2	Monroe 10.6 Montgomery 10.9 Newton 11.6 Ferry 11.0 Fallips 15.6 Foliactt 15.5			
Craighead 13.3	Newton 11.6			
Crawford 14.8	Ferry 11.0			
Crittenden 17.0	Phillips 15.6			
Crees 16.2 Dallas 12.5	Polit 11.7			
Desha 14.9	Pope 11.6			
Drew 9.6	Prairie 16.2 Pulacki 20.6			
Faulkner 12.3	Pulaski 20.6			
Franklin 15.5 Fulton 11.0	Randolph 15.0 St. Francis 14.3			
Garland 11.0	Saline 13.1			
Grant 15.1	Scott 11.2			
Greene 12.9	Scarcy 10.1			
Hempstead 16.1	Sebastian 12.1			
Hot Spring 12.4 Howard 10.8	Savier 9.2 Sharp 11.7 Stone 10.4			
Independence _ 12.8	Stone 10.4			
Icard 7.5	Van Buren 9.9 Wachington 13.1			
Jackson 14.3	Wachington 13.1			
Jefferson 12.0 Johnson 9.8	White 13.3 Wesdruff 14.7			
Lefayette 14.7	Yell 13.0			
-				
CALIFO				
Alameda 24.8	Plumas 13.6 Riverside 16.0			
Alpine 29.8 Amador 20.9	Signamento 20.8			
Butte 20.1	San Benito 18.9			
Calaveras 20.0	San Bernar-			
Coluca 26.9	dino 23.3			
Contra Costa _ 21.5	San Jesonin 16 9			
El Darado 17.7 Fresno 32.0	San Diego 16.7 San Joaquin 16.9 San Luis Obis-			
Glenn 22.9	po 15.8 San Mateo 24.0			
Humboldt 22.1	San Mateo 24.0			
Imperial 39.2 Inyo 25.2	Santa Bar- bara 16.7			
Kern 12.2	Santa Clara 20.9			
Kings 28.2	Santa Cruz 25.0			
Lake 19.9	Shasta 11.3 Sierra 14.9			
Lecten 14.1 Let Angelet 8.6	Sichiyou 16.3			
Madera 14.6	Solono 26.8			
Marin 23.6	Solono 26.8 Sonoma 18.9			
Maripoca 17.6	Stanislaus 22.3			
Mendocino 22.3 Merced 21.0	Sutter 30.4 Tehama 18.0			
Modes 16.7	Trinity 22.3			
Mono 19.6	Tplare 15.9			
Monterey 19.0	Tuolumne 17.5			
Napa 23.4 Nevada 17.1	Ventura 18.7 Yola 32.9			
Orange 20.0	Yuba 14.0			
Placer 14.8				
Colorato				
Adams 18.2				
Alamora 20.8	Donver 13.6 Dolores 14.2			
Arapahoe 10.6	Douglas 18.4			
Archuleta 18.8	Engle 32.1			
Baca 11.9 Bent 17.9	Elbert 14.4 El Poso 9.6			
Boulder 19.8	El Paso 9.6 Fremont 18.0			
Chaffee 22.9	Garfield 22.8 Glipin 10.0			
Cheyenne 13.1	Glipin 10.0			
Clear Creel: 11.7 Conejes 23.5	Grand 17.0 Gunnicon 27.9			
Costilia 22.6	Hinodale 22.1			
Costilia 22.6 Crowley 13.5	Humano 10.7			
Custer 14.7	Jackson 20.2			
Delta 26.4	Jefferson 22.2			

1956 WHEAT MARKETING QUOTA PROGRAM
COUNTY NORMAL YIELDS IN BUSHELS PER ACRE—Continued

1956 WHEAT MARKETING QUOTA PROGRAM
COUNTY NORMAL YIELDS IN BUSHELS PER ACRE—Continued

1956 WHEAT MARKETING QUOTA PROGRAM
COUNTY NORMAL YIELDS IN BUSHELS PER ACRE—Continued

1956 WHEAT MARKETING QUOTA PROGRAM
COUNTY NORMAL YIELDS IN BUSHELS PER ACRE—COntinued

Acre—Continued	ELUS IN DUSHELS FER	Acre—Continued		Acre—Continued	
Colorado—Continued		Georgia—Continued		Illinois—Continued	
_	Normal	Normal	Normal	Normal Normal	
Normal County yield	County yield	County yield	County yield	County yield	County yield
Kiowa 9.8	Phillips 20.1	Taylor 15.5	Walker 16.2	Union 17.1	White 15.1
Kit Carson 16.0	Pitkin 27.9	Telfair 16.4	Walton 17.3	Vermilion 27.2	Whiteside 24.7
Lake 8.7	Prowers 15.5	Terrell 16.0	Ware 14.4	Wabash 19, 1	Will 27.0
La Plata 22.4	Pueblo 13.8	Thomas 17.0	Warren 14.0	Warren 27.1 Washington 18.5	Williamson 10.1 Winnebago 25.9
Larimer 18.3	Rio Bianco 18.1 Rio Grande 23.9	Tift 16.1 Toombs 13.2	Washington 13.1 Webster 15.4	Wayne 15.5	Woodford 20.7
Las Animas 9.8 Lincoln 12.7	Routt 19.7	Towns 14, 6	Wheeler 12.5		
Logan 18.6	Saguache 20.1	Treutlen 14.2	White 15.8	INDIA	INA
Mesa 20.1	San Juan 14.2	Troup 16.4	Whitfield 14.8	Adams 26, 7	Lawrence 19.3
Mineral 17.2	San Miguel 14.2	Turner 13.6	Wilcox 13.6	Allen 28.6	Madison 28.3
Moffat 16.9	Sedgwick 22.7	Twiggs 13.3	Wilkes 13.1	Bartholomew _ 19.4	Marion 25.0
Montezuma 16.3	Summit 15.3	Union 16.0	Wilkinson 15.5	Benton 31.2	Marshall 27.9 Martin 16.5
Montrose 25.9 Morgan 14.4	Teller 15.5 Washington 15.4	Upson 15.6	Worth 15.8	Blackford 22.9 Boone 25.3	Miami 25. 7
Otero 18.3	Weld 15.8	IDA	но	Brown 18.1	Monroe 21.0
Ouray 18.3	Yuma 17.4	Ada 39.0	Gem 32.4	Carroll 24. 7	Montgomery 20.5
Park 15.9		Adams 20.8	Gooding 40.1	Cass 26.0	Morgan 23. 5
	WARE	Bannock 21.5	Idaho 29. 2	Clark 19.9	Newton 29.4
		Bear Lake 16.6	Jefferson 31.1	Clay 19.9	Noble 25.9
Kent 18.0	Sussex 17.5	Benewah 30.1	Jerome 45.1	Clinton 26.9	Ohio 21.5
New Castle 20. 4		Bingham 32.5	Kootenai 20.9	Crawford 15.8	Orange 20.0 Owen 17.8
Geo	RGIA	Blaine 24.5	Latah 30.3	Daviess 18.1 Dearborn 21.6	Parke 26.4
Annling 14.4	Habersham 15.3	Boise 24.9	Lemhi 36.6	Decatur 20.5	Perry 16.7
Appling 14.4 Atkinson 12.3	Hall 15. 5	Bonner 17.9	Lewis 32.2	De Kalb 24.9	Piko 17.4
Baker 12.9	Hancock 13.1	Bonneville 24.3 Boundary 29.5	Lincoln 38.3	Delaware 25.8	Porter 20.4
Baldwin 15.2,	Haralson 15.7	Butte 28.1	Madison 24.3 Minidoka 38.7	Dubois 20.3	Posey 19.0
Banks 15.7	Harris 12.3	Camas 17. 0	Nez Perce 34.2	Elkhart 25.3	Pulaski 27.0
Barrow 14.2	Hart 16.9	Canyon 44.7	Oneida 19.7	Fayette 20.8	Putnam 23.7
Bartow 16.6	Heard 16.5	Caribou 22.8	Owyhee 47.1	Floyd 22. 2	Randolph 25.5
Ben Hill 11.7	Henry 15.5	Cassia 25.7	Payette 37.0	Fountain 26.8	Ripley 20, 6
Berrien 15.1	Houston 19.5	Clark 20.7	Power 18.0	Franklin 20.9 Fulton 23.9	Rush 21.3 St. Joseph 25.0
Bibb 16.0 Bleckley 12.7	Irwin 14.5 Jackson 17.7	Clearwater 25.2	Shoshone 19.4	Gibson 18.8	Scott 19.0
Brantley 13.2	Jasper 15. 6	Custer 35.0	Teton 20.7	Grant 27.7	Shelby 19.6
Brooks 13. 1	Jefferson 15.0	Elmore 24.6	Twin Falls 48.9	Greene 19.9	Spencer 16, 4
Bryan 14.2	Jenkins 10.9	Franklin 24.1 Fremont 24.7	Valley 19.2 Washington 23.5	Hamilton 26.5	Starke 24, 5
Bulloch 16.2	Johnson 13.6	Fremont 24.	washington 25.5	Hancock 25.1	Steuben 25.5
Burke 13.6	Jones 16.0	ILLI	Nois	Harrison 19.4	Sullivan 19.5
Butts 15.7	Lamar 15.9	Adams 23.6	Kankakee 25.7	Hendricks 24.6	Switzerland 20.3
Calhoun 12.4	Laurens 15.3	Alexander 17.3	Kendall 27.9	Henry 25.8	Tippecanoe 27.2
Candler 17. 0 Carroll 17. 9	Lee 21.3	Bond 21.5	Knox 26.5	Howard 27.1 Huntington 25.6	Tipton 28, 1 Union 22, 5
Catoosa 15.1	Lincoln 12.8 Long 10.8	Boone 27.4	Lake 26.2	Jackson 18.1	Vanderburgh _ 17.0
Chattooga 11.9	Lowndes 10.4	Brown 23.0	La Salle 27.2	Jasper 26.9	Vermillion 23.7
Cherokee 17.3	Lumpkin 13.0	Bureau 26.4	Lawrence 17.3	Jay 23.4	Vigo 22.0
Clarke 15.2	McDuffle 12.1	Calhoun 22.9	Lee 27.7	Jefferson 20.3	Wabash 24.0
Clay 11.6	Macon 16.8	Carroll 26.0 Cass 25.8	Livingston 27.4 Logan 28.3	Jennings 17.9	Warren 25.1
Clayton 16.4	Madison 14.6	Champaign 26.8	McDonough 26.9	Johnson 22.8	Warrick 10.6
Clinch 15. 4 Cobb 15. 7	Marion 14.2	Christian 28.2	McHenry 26.8	Knox 20.9	Washington 21.7
Coffee 13. 7	Meriwether 17.4	Clark 18.6	McLean 28.7	Kosciusko 27. 0 Lagrange 27. 2	Wayne 23,4 Wells 27,7
Colquitt 14.4	Miller 14.6 Mitchell 18.3	Clay 14.9	Macon 28.1	Lake 26.8	White 26.7
Columbia 11.2	Monroe 16.0	Clinton 17.7	Macoupin 23.2	La Porte 26.9	Whitley 24.4
Cook 13.7	Montgomery 16.4	Coles 24. 4	Madison 20.9 Marion 17.5		
Coweta 15.0	Morgan 15.2	Cook 25.1 Crawford 18.0	Marshall 27.8	Iot	WA
Crawford 15.9	Murray 15.9	Cumberland 20.0	Mason 24.0	Adair 17.5	Des Moines 23, 8
Crisp 16.7 Dade 14.1	Muscogee 11.2	De Kalb 29.7	Massac 16.5	Adams 19.2	Dickinson 17.7
Dawson 14.8	Newton 15.7	De Witt 27.8	Menard 26.5	Allamakee 21.8	Dubuque 22, 1
Decatur 14.8	Oconee 14.7 Oglethorpe 15.0	Douglas 27.5	Mercer 22.9	Appanoose 16.0	Emmet 15, 4 Fayette 17, 6
De Kalb 16.3	Paulding 14.7	Du Page 26.5	Monroe 21.0	Audubon 16.4 Benton 23.2	Floyd 18.7
Dodge 12.0		Edgar 24,9	Montgomery 24.4		Franklin 10.0
Dooly 17.7	Peach 18.0				
	Peach 18.0 Pickens 13.2	Edwards 17.2	Morgan 26.5	Black Hawk 17.4 Boone 22.2	Fremont 16.8
Dougherty 22.2	Pickens 13. 2 Pierce 15. 4	Effingham 20.1	Moultrie 26.7	Boone 22.2 Bremer 18.3	Greene 20. 6
Douglas 14.6	Pickens 13. 2 Pierce 15. 4 Pike 17. 5	Effingham 20.1 Fayette 18.8		Boone 22.2 Bremer 18.3 Buchanan 18.0	Greene 20.6 Grundy 22.6
Douglas 14.6 Early 23.5	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0	Effingham 20.1	Moultrie 26.7 Ogle 26.9	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7	Greene 20.6 Grundy 22.6 Guthrie 16.6
Douglas 14.6 Early 23.5 Echols 14.5	Pickens 13. 2 Pierce 15. 4 Pike 16. 0 Pulaski 16. 4	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6	Moultrie 26.7 Ogle 26.9 Peorla 16.5 Perry 16.5 Platt 29.0	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5	Greene 20. 6 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4
Douglas 14.6 Early 23.5	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0	Moultrie 26. 7 Ogle 26. 9 Peorla 27. 6 Perry 16. 5 Platt 29. 0 Pike 21. 1	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7	Greene 20. 6 Grundy 22. 6 Guthrie 10. 6 Hamilton 22. 4 'Hancock 21. 9
Douglas 14.6 Early 23.5 Echols 14.5 Effingham 14.6 Elbert 14.6 Emanuel 14.6	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 5 Quitman 9. 5	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0 Greene 22. 6	Moultrie 26. 7 Ogle 26. 9 Peoria 27. 6 Perry 16. 5 Platt 29. 0 Pike 21. 1 Pope 15. 7	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6	Greene 20. 0 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0
Douglas14.6 Early23.5 Echols14.6 Eifingham14.6 Eibert14.6 Emanuel16.9	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0 Greene 22. 6 Grundy 26. 1	Moultrie 26. 7 Ogle 26. 9 Peorla 27. 6 Perry 16. 5 Platt 29. 0 Pike 21. 1 Pope 15. 7 Pulaski 17. 4	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6 Cass 19.7	Greene 20. 6 Grundy 22. 6 Guthrie 10. 6 Hamilton 22. 4 'Hancock 21. 9
Douglas 14.6 Early 23.5 Echols 14.5 Effingham 14.6 Elbert 14.6 Emanuel 14.6 Evans 15.9 Fannin 13.5	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0 Greene 22. 6 Grundy 26. 1 Hamilton 16. 0	Moultrie 26.7 Ogle 26.9 Peorla 27.6 Perry 16.5 Platt 29.0 Pike 21.1 Pope 15.7 Pulaski 17.4 Putnam 24.9	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6	Greene 20. 0 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 'Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6
Douglas 14.6 Early 23.5 Echols 14.5 Effingham 14.6 Elbert 14.6 Emanuel 14.6 Evans 15.9 Fannin 13.5 Fayette 16.6	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0 Greene 22. 6 Grundy 26. 1 Hamilton 16. 0 Hancock 24. 4	Moultrie 26.7 Ogle 26.9 Peorla 27.6 Perry 16.5 Platt 29.0 Pike 21.1 Pope 15.7 Pulaski 17.4 Putnam 24.9 Randolph 19.1	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6 Cass 19.7 Cedar 26.7	Greene 20. 6 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1
Douglas 14.6 Early 23.5 Echols 14.5 Effingham 14.6 Elbert 14.6 Emanuel 14.6 Evans 15.9 Fannin 13.5 Fayette 16.6 Floyd 15.4	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0 Greene 22. 6 Grundy 26. 1 Hamilton 16. 0	Moultrie 26.7 Ogle 26.9 Peorla 27.6 Perry 16.5 Platt 29.0 Pike 21.1 Pope 15.7 Pulaski 17.4 Putnam 24.9	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carrol1 17.6 Cass 19.7 Cedar 26.7 Cerro Gordo 20.2 Cherokee 19.7 Chickasaw 17.7	Greene 20. 6 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6 Humboldt 18. 2 Ida 21. 4
Douglas 14.6 Early 23.5 Echols 14.5 Eifingham 14.6 Eibert 14.6 Emanuel 14.6 Evans 15.9 Fannin 13.5 Fayette 16.6 Floyd 15.4 Forsyth 17.3	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0 Rockdale 12. 6 Schley 14. 4 Screven 16. 1	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0 Greene 22. 6 Grundy 26. 1 Hamilton 16. 0 Hancock 24. 4 Hardin 16. 5 Henderson 24. 6 Henry 24. 7	Moultrie 26.7 Ogle 26.9 Peorla 27.6 Perry 16.5 Platt 29.0 Pike 21.1 Pope 15.7 Pulaski 17.4 Putnam 24.9 Randolph 19.1 Richland 16.1 Rock Island 23.2 St. Clair 21.0	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6 Cass 19.7 Cedar 26.7 Cerro Gordo 20.2 Cherokee 19.7 Chickasaw 17.7 Clarke 15.7	Greene 20. 6 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6 Humboldt 18. 2 Ida 21. 4 Iowa 21. 4
Douglas 14.6 Early 23.5 Echols 14.5 Einingham 14.6 Eibert 14.6 Ewanuel 14.6 Evans 15.9 Fannin 13.5 Fayette 16.6 Floyd 15.4 Forsyth 17.3 Franklin 16.5	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0 Rockdale 12. 6 Schley 14. 4 Screven 16. 1 Seminole 12. 9	Effingham	Moultrie	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6 Cass 19.7 Cedar 26.7 Cerro Gordo 20.2 Cherokee 19.7 Chickasaw 17.7 Clarke 15.7 Clay 19.4	Greene 20. 0 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 0 Humboldt 18. 2 Ida 21. 4 Jockson 21. 3
Douglas 14.6 Early 23.5 Echols 14.5 Eifingham 14.6 Eibert 14.6 Emanuel 14.6 Evans 15.9 Fannin 13.5 Fayette 16.6 Floyd 15.4 Forsyth 17.3	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0 Rockdale 12. 6 Schley 14. 4 Screven 16. 1 Seminole 12. 9 Spalding 16. 4	Effingham	Moultrie	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6 Cass 19.7 Cedar 26.7 Cerro Gordo 20.2 Cherokee 19.7 Chickasaw 17.7 Clarke 15.7 Clay 19.4 Clayton 20.4	Greene 20. 6 Grundy 22. 6 Grundy 10. 6 Hamilton 22. 4 'Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6 Humboldt 18. 2 Ida 21. 4 Iowa 21. 4 Jackson 18. 3 Jaspor 22. 3
Douglas 14.6 Early 23.5 Echols 14.5 Effingham 14.6 Eibert 14.6 Ewans 15.9 Fannin 13.5 Fayette 16.6 Floyd 15.4 Forsyth 17.3 Franklin 16.5 Fulton 19.1	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0 Rockdale 12. 6 Schley 14. 4 Screven 16. 1 Seminole 12. 9 Spalding 16. 4 Stephens 15. 1	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0 Greene 22. 6 Grundy 26. 1 Hamilton 16. 0 Hancock 24. 4 Hardin 16. 5 Henderson 24. 7 Iroquois 30. 0 Jackson 17. 3 Jasper 18. 9	Moultrie	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6 Cass 19.7 Cedar 26.7 Cerro Gordo 20.2 Cherokee 19.7 Clarke 15.7 Clay 19.4 Clayton 20.4 Clinton 23.4	Greene 20. 6 Grundy 22. 6 Grundy 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6 Humboldt 18. 2 Ida 21. 4 Joekson 21. 4 Jackson 18. 3 Jasper 22. 3 Jefferson 19. 3
Douglas	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0 Rockdale 12. 6 Schley 14. 4 Screven 16. 1 Seminole 12. 9 Spalding 16. 4 Stephens 15. 1 Stewart 13. 6	Effingham	Moultrie	Boone	Greene 20. 6 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6 Humboldt 18. 2 Ida 21. 4 Joekson 21. 4 Jackson 22. 3 Jefferson 22. 3 Johnson 19. 1
Douglas 14.6 Early 23.5 Echols 14.5 Echols 14.6 Echols 14.6 Eilbert 14.6 Ewans 15.9 Fannin 13.5 Fayette 16.6 Floyd 15.4 Forsyth 17.3 Franklin 16.5 Fulton 19.1 Glimer 12.8 Glascock 13.4	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0 Rockdale 12. 6 Schley 14. 4 Screven 16. 1 Seminole 12. 9 Spalding 16. 4 Stephens 15. 1 Stewart 13. 6 Sumter 16. 9	Effingham 20. 1 Fayette 18. 8 Ford 29. 4 Franklin 16. 6 Fulton 24. 6 Gallatin 17. 0 Greene 22. 6 Grundy 26. 1 Hamilton 16. 0 Hancock 24. 4 Hardin 16. 5 Henderson 24. 6 Henry 24. 7 Iroquois 30. 0 Jackson 17. 3 Jasper 18. 9 Jefferson 16. 0 Jersey 22. 5	Moultrie	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6 Cass 19.7 Cedar 26.7 Cerro Gordo 20.2 Cherokee 19.7 Clarke 15.7 Clay 19.4 Clayton 20.4 Clinton 23.4	Greene 20. 6 Grundy 22. 6 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6 Humboldt 18. 2 Ida 21. 4 Joekson 21. 4 Jackson 21. 3 Jefferson 22. 3 Jefferson 10. 3 Johnson 10. 1 Jones 23. 6 Keokuk 10. 6
Douglas 14.6 Early 23.5 Echols 14.5 Echols 14.6 Echols 14.6 Eilbert 14.6 Ewans 15.9 Fannin 13.5 Fayette 16.6 Floyd 15.4 Forsyth 17.3 Franklin 16.5 Fulton 19.1 Gilmer 12.8 Glascock 13.4 Gordon 14.2	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0 Rockdale 12. 6 Schley 14. 4 Screven 16. 1 Seminole 12. 9 Spalding 16. 4 Stephens 15. 1 Stewart 13. 6 Sumter 16. 9 Talbot 16. 5 Taliaferro 11. 1	Effingham	Moultrie	Boone	Greene 20. 6 Grundy 22. 6 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6 Humboldt 18. 2 Ida 21. 4 Jockson 18. 3 Jaspor 22. 3 Jefferson 19. 3 Johnson 19. 1 Jones 23. 6 Keokuk 19. 9 Kossuth 24. 3
Douglas 14.6 Early 23.5 Echols 14.5 Echols 14.6 Echols 14.6 Eilbert 14.6 Evans 15.9 Fannin 13.5 Fayette 16.6 Floyd 15.4 Forsyth 17.3 Franklin 16.5 Fulton 19.1 Gilascock 13.4 Gordon 14.2 Grady 17.3	Pickens 13. 2 Pierce 15. 4 Pike 17. 5 Polk 16. 0 Pulaski 16. 4 Putnam 17. 4 Quitman 9. 5 Rabun 16. 5 Randolph 13. 9 Richmond 13. 0 Rockdale 12. 6 Schley 14. 4 Screven 16. 1 Seminole 12. 9 Spalding 16. 4 Stephens 15. 1 Stewart 13. 6 Sumter 16. 9 Talbot 16. 5	Effingham	Moultrie	Boone 22.2 Bremer 18.3 Buchanan 18.0 Buena Vista 20.7 Butler 16.5 Calhoun 20.7 Carroll 17.6 Cass 19.7 Cedar 26.7 Cerro Gordo 20.2 Cherokee 19.7 Clarke 15.7 Clay 19.4 Clayton 20.4 Clinton 23.4 Crawford 20.2 Dallas 21.8 Davis 21.8 Davis 19.2	Greene 20. 6 Grundy 22. 6 Grundy 22. 6 Guthrie 16. 6 Hamilton 22. 4 Hancock 21. 9 Hardin 20. 0 Harrison 16. 4 Henry 21. 1 Howard 17. 6 Humboldt 18. 2 Ida 21. 4 Joekson 21. 4 Jackson 21. 3 Jefferson 22. 3 Jefferson 10. 3 Johnson 10. 1 Jones 23. 6 Keokuk 10. 6

Town-Continued

1956 Wheat Marketing Quota Program County Normal Yields in Bushels per Acre—Continued 1956 Wheat Marketing Quota Program County Normal Yields in Bushels per Acre—Continued 1956 Wheat Marketing Quota Program County Normal Yields in Bushels per Acre—Continued Kentucky-Continued

Michigan-Continued

Iowa—Continued		Kentucky—Continued		Michigan Continued	
Normal	Normal	Normal	Normal	Normal	Normal
County yield	County yield	County yield	County yield	County yield	County meld
Linn 22.3	Poweshiek 17.8	Boyle 14.9	Lee 8.2	Kalamazeo 26.1	Newaygo 24.5
Louisa 21.9	Ringgold 13.1	Bracken 15.4	Lewis 13.4	Kalkacka 12.8	Oakland 25.4
Lucas 18.0	Sac 13.0	Breckinridge 16.5	Lincoln 14.4	Kent 24.8	Oceana 24. 8
Lyon 13.7	Scott 25.3	Bullitt 15.4	Livingston 12.1	Keweenaw 17.9	Ozemaw 23.0
Madison 21.8	Shelby 20.7	Butler 11.5	Logan 18.1	Lake 23.9	Ontonagon 11.0
Mahaska 20.2	Sioux 20.4	Caldwell 16.3	Lyon 13.0	Lopeer 26.3	Occeola 24.2
Marion 16.9	Story 22.9	Calloway 15.0	McCracken 13.8	Leelanau 21.5 Lenawee 27.6	Occoda 18.7
Marshall 21.5 Mills 20.9	Tama 20.4 Taylor 17.8	Campbell 17.8	McLean 16.3 Madicon 16.8	Livingston 25.8	Otsego 16.8 Ottawa 24.3
Mitchell 18.2	Union 17.3	Carroll 13. 1	Magoffin 8.9	Luce 17.5	Presque Icle 26.7
Monona 14.6	Van Buren 19.1	Carter 13.0	Marion 14.5	Machinae 18.1	Reccommon 17.4
Monroe 18.4	Wapello 19.9	Casey 14. 4	Marchall 12.2	Macomb 25.5	Saginaw 28.6
Montgomery 21.0	Warren 19.3		Macon 18. 4	Manistce 18.7	St. Clair 25. 9
Muscatine 20.6	Washington 19.9	Clark 16.7	Meade 14.9	Marquette 24.3	St. Joseph 24.2
O'Brien 18.4	Wayne 16.2	Clay 8.6	Mercer 14.4	Macon 25.3	Sanilac 25.4
Osceola 16.9	Webster 20.5	Clinton 13, 2	Metcalfe 15.8	Mecosta 24.6	Schoolcraft 18.4
Page 22.2	Winnebago 21.8	Crittenden 12.4	Monroe 14.8	Menominee 23.8	Shiawacce 26.7
Palo Alto 15.9	Winneshiek 19.8	Cumberland 12.8	Montgomery 16.0	Midland 23.4	Tuccola 30. 6
Plymouth 19.8	Woodbury 16.0	Daviess 18.0	Morgan 11.2	Miccaulice 16.9	Van Buren 22.5
Pocahontas 20.2	Worth 17.0	Edmonson 10.8	Muhlenberg 16.6	Monroe 26.3	Washtenaw 27.2
Polk 23.0	Wright 20.9	Elliott 14.2	Nesion 16.4	Montcalm 20.8	Wayne 25.5
Pottawattamie_ 17.8		Estill 10. 1	Nicholas 17.0	Montmorency _ 24.7	Wexford 18. 8
Kan	ISAS	Fayette 19.4	Ohio 13.7	Muskegon 25.6	
		Fleming 15.9	Oldham 19.2	Linn	PROTA
Allen 19.8	Linn 19.3	Franklin 16.7	Owen 15.9		Λ.
Anderson 21.3	Logan 14.2	Fulton 15.8	Pendleton 14.2	Altkin 14.1	Zartin 19. 2
Atchison 18.6	Lyon 19.1	Gallatin 16.6	Powell 9.3	Anolia 14.8	Meeker 19.0
Barber 16.4	McPherson 18.3	Garrard 13.8	Pulncki 10.5	Becker 16.4	Mille Laca 16.2
Barton 14.6	Marion 17.3	Grant 14.9	Robertson 15.5	Beltrami 17.3	Morricon 15.3
Bourbon 18.7	Marshall 17.2	Graves 17. 2	Rockcastle 13.8	Benton 14.9	16.7
Brown 22. 1	Meade 15.7	Grayson 11.9	Rowan 9,8	Big Stone 12.8	Murray 16.5
Butler 18.8	Miami 19.6 Mitchell 13.2	Green 11.2	Rumell 13.1 Scott 17.8	Blue Earth 20.6	Nicollet 19.6
Chase 22.0 Chautauqua 18.0	Montgomery 18.3	Greenup 13.8 Hancock 10.1	Shelby 15.6	Brown 16.9 Carlton 14.0	Nobles 16.7 Norman 16.9
Cherokee 16.5	Morris 13. 8	Hardin 14.0	Simpson 17.9	Carver 24.2	Olmsted 17.2
Cheyenne 20.7	Morton 10.2	Harrison 17.2	Spencer 9.2	Cars 14.6	Otter Tail 15.1
Clark 15.2	Nemaha 19.8	Hart 15.9	Taylor 15.5	Chippewa 15.0	Pennington 17.0
Clay 16.4	Neosho 19.9	Henderson 17.8	Todd 17.8	Chicago 14.8	Pine 15.3
Cloud 15.8	Ness 12.8	Henry 14.7	Trigg 16.7	Clay 17.3	Pipestone 15.9
Coffey 19.5	Norton 17.4	Hickman 15.3	Trimble 16.3	Clearwater 17.5	Polk 16.2
Comanche 15.6	Osage 20.7	Hopkins 13.7	Union 10.3	Cottonwood 19.6	Pope 14.3
Cowley 20.2	Osborne 12.6	Jackson 12.1	Warren 15. 6	Crow Wing 13.8	Ramsey 19.1
Crawford 16.7	Ottawa 17.0	Jefferson 20.5	Washington 11.3	Dakota 16.7	Red Lake 17.3
Decatur 20.1	Pawnee 15.3	Jessamine 16.8	Wayne 13.5	Dodge 19.0	Redwood 17.2
Dickinson 16.3	Phillips 11.7	Kenton 14.6	Webster 16.3	Douglas 15.4	Renville 16.0
Doniphan 21.7	Pottawatomie _ 20.3	Knox 12.5	Whitley 10.8	Faribault 18.2	Rice 20.2
Douglas 21.2	Pratt 15.7	Larue 17.0	Wolfe 8.7	Fillmore 17.3	Rock 16.9
Edwards 14.5	Rawlins 22.2	Laurel 9.9	Weedford 18.9	Freeborn 18.0	Receau 16.4
Elk 18.8	Reno 17.1	Lawrence 9.1		Gecdhue 17.7	St. Louis 16.8
Ellis 12.0	Republic 17.5	Mary	TLAND	Grant 13.8	Scott 20.3
Elisworth 16.4	Rice 17.1			Hennepin 19.8	Sherburne 12.4
Finney 15.4	Riley 19.5	Allegany 18.2	Howard 21.2	Houston 18.9	Sibley 19.5
Ford 15.4	Rooks 11.6	Anne Arundel 15.6	Kent 20.5	Hubbard 16.8	Stearns 16.7
Franklin 20.1	Rush 13.8	Baltimore 20.1	Montgomery 20.4	Icanti 14.2	Steele 19.6
Geary 20.9 Gove 14.0	Russell 12.8 Saline 16.5	Caroline 16.5	Prince	Itacca 17.0	Stevens 15.8
Graham 12.6	Scott 16.6	Carroll 20.3	Georges 15.6 Queen Annes _ 17.6	Jackson 18.9	Swift 13.6
Grant 16.0	Sedgwick 18.4	Cecil 22. 2	St. Marys 16.9	Kanabeo 16.2	Todd 15. 7
Gray 13.6	Seward 12.5	Charles 16.7	Somercet 21.0	Kandiyehi 15.7	Traverse 13.6
Greeley 14.7	Shawnee 22.4	Dorchester 19.5	Talbot 19.2	Kitteen 16.6 Keechiching 15.7	Wabacha 17.4 Wadena 14.2
Greenwood 20.3	Sheridan 15.0	Frederick 19.8	Washington 19.6	Loc qui Parle _ 14.4	Wasses 18.9
Hamilton 16.6	Sherman 18.6	Garrett 21.8	Wicomico 18.8	Lake of the	Washington 16.4
Harper 16.7	Smith 13.1	Harford 23.2	Worcester 16.1	Woods 17.4	Watonwan 17.5
Harvey 18.1	Stafford 13.9			Le Sueur 19.1	Wilkin 15. 1
Haskell 13.7	Stanton 17.5	Mich	IIGAN	Lincoln 17.7	Winona 18. 1
Hodgeman 11.7	Stevens 14.2	Alcona 24:7	Crawford 17.8	Lyon 19.1	Wright 21.9
Jackson 19.5	Sumner 17.0	Alger 11.0	Delta 25.2	McLecd 22.0	Yellow
Jefferson 20.6	Thomas 17.4	Allegan 23.7	Dickincon 24.6	Mahnomen 18.2	Medicine 14.8
Jewell 14.5	Trego 13.3	Alpena 27.5	Enton 28.8	Marchall 16.7	
Johnson 20.9	Wabaunsee 19.1	Antrim 23.4	Emmet 21.1	7 Cree	ouri
Kearny 16.8	Wallace 18.1	Arenac 27.2	Genesee 25.5		
Kingman 14,2	Washington 17.3	Baraga 22.2	Gladwin 25.6	Adair 18.9	Callaway 19.5
Kiowa 13.9	Wilson 16.6	Barry 24.7	Gogebie 17.9	Andrew 21.1	Camden 14.1
Labette 18.4	Wilson 20.1	Bay 29.4	Grand Traverce 23.1	Atchicon 16.5	Cape Girar-
Lane 14.8 Leavenworth _ 18.7	Wyandotte 19.7	Benzie 14.0	Gratict 27.8	Audrain 19.3	deau 19. I
Lincoln 17.0	Wyandotte 19.2	Berrien 25.4	Hillodale 26.2	Barry 19.0	Carroll 17.2
		Branch 25.0 Calhoun 25.4	Houghton 18.1 Huren 29.8	Barton 17.3	Carter 14.6 Cacs 17.3
Kent	UCKY	Cass 23. 5	Ingham 30.6	Bates 17.0 Benton 14.7	Cedar 16.4
Adair 15. 2	Bath 18.5	Charlevoix 25, 2	Ionia 27.9	Bollinger 13.9	Chariton 17. 4
Allen 15.7	Bell 9.7	Cheboygan 23.0	Icoco 26.2	Econe 15.5	Christian 19.8
Anderson 14.0	Boone 12.9	Chippewa 16.0	Iron 19.5	Buchanan 19.3	Clark 21. 1
Ballard 13.7	Bourbon 19.0	Clare 24.9	Icabella 23.7	Eutler 17.1	Clay 19.3
Barren 16.6	Boyd 12.3	Clinton 28.8	Jackson 26.1	Caldwell 18.3	Clinton 18.5

1956 WHEAT MARKETING QUOTA PROGRAM COUNTY NORMAL YIELDS IN BUSHELS PER ACRI-Continued

Missouri-Continued Normal Normal County yield Cole _____ 16.5 County yield Morgan _____ 16.3 New Madrid ___ 20.2 Cooper _____ 16.0 Crawford _____ 16.6 Dade _____ 20.5 Newton _____ 17.7 Nodaway _____ 20.0 Dallas _____ 16.2 Oregon _____ 16.7 Daviess _____ 20.4 De Kalb _____ 20.0 Osage _____ 18.0 Ozark ____ 12.3 Dent _____ 16.1 Douglas ____ 14.9 Pemiscot ____ 18.4 Perry ______ 19.6
Pettis ______ 16.5
Phelps _____ 18.3
Pike _____ 20.3
Platte _____ 18.9 Dunklin _____ 16.6 Franklin ____ 20.5 Gasconade ____ 19.0 Gentry _____ 19.6 Greene ____ 19.8 Polk _____ 17.9 Pulaski ____ 15.4 Putnam ____ 18.3 Grundy _____ 17.6 Harrison _____ 19.3 Henry _____ 16.3 Hickory _____ 15.1 Ralls _____ 20.0 Randolph ____ 18.8 Holt _____ 18.5 Howard ____ 17.1 Ray _____ 18.3 Reynolds ____ 17.8 Ripley _____ 12.2 Howell _____ 14.0 Iron _____ 17.3 St. Charles ____ 21.8 Jackson _____ 21.6 St. Clair ____ 15.8 St. Francois ___ 18.9 St. Louis ____ 20.7 Ste. Genevieve_ 19.7 Jasper _____ 19.1 Jefferson ____ 16.5 Johnson ____ 15/8 Saline 17.4
Schuyler 17.1
Scotland 19.3
Scott 15.4 Knox _____ 17.8 Laclede _____ 16.7 Lafayette ____ 19.9 Lawrence ____ 18.6 Shannon _____ 16.1 Lewis _____ 19.4 Shelby _____ 19.8 Stoddard ____ 14.7 Lincoln _____ 19.3 Linn _____ 18.7 Livingston ____ 20.2 Stone _____ 20.9 Sullivan ____ 16.6 McDonald ____ 14.9 Macon _____ 19.4 Taney _____ 15.0 Madison 17. 4
Maries 16. 3
Marion 20. 2
Mercer 20. 8 Texas _____ 16.5 Vernon ____ 17.0 Warren _____ 19. 2 Washington ___ 20.2 Miller _____ 18.3 Wayne _____ 17.1 Mississippi ____ 18.0 Webster _____ 18.1 Moniteau ____ 17.3 Monroe ____ 20.0 Worth _____ 18.1 Wright ____ 16.0 Montgomery __ 19.6 MONTANA Beaverhead ___ 25.9 Madison ____ 21.8

Dog.orden EEE				
Big Horn	20.8	Meagher		
Blaine	13.4	Mineral	19.5	
Broadwater	19.8	Missoula	23.7	
Carbon	21.0	Musselshell	14.7	
Carter	9.0	Park	21.4	
Cascade	21.8	Petroleum		
Chouteau		Phillips	12.3	
Custer		Pondera		
Daniels	12. 1	Powder River	13.1	
Dawson		Powell	21.6	
Deer Lodge		Prairie		
Fallon		Ravalli	30.3	
Fergus	17.4	Richland	13.1	
Flathead	25. 4	Roosevelt	14.7	
Gallatin		Rosebud		
Garfield	8.6	Sanders	21.1	
Glacier	16.5	Sheridan		
Golden Valley _	15. 1	Silver Bow	21.5	
Granite	20.5	Stillwater	18.2	
Hill	13.6	Sweet Grass	17.4	
Jefferson	20. 1	Teton	22.8	
Judith Basin	15.6	Toole	15.5	
Lake	21. 5	Treasure	16. 5	
Lewis and Clark	19.5	Valley	13. 1	
Liberty	12.6	Wheatland	15.0	
Lincoln		Wibaux	.14.4	
McCone	11.7	Yellowstone	21.0	
	Money	A 4		
Nebraska				

Boyd _____ 11.8

Brown ____ 12.0

Buffalo _____ 16.5

Burt _____ 24.3 Butler ____ 22.2

Cass _____ 22.8

Cedar _____ 16.7

Adams _____ 16.6

Antelope ____ 16.0

Arthur _____ 11.4

Banner _____ 21.7 Blaine ____ 12.2

Boone _____ 19.0

Box Butte ____ 19.6

1956 WHEAT MARKETING QUOTA PROGRAM
COUNTY NORMAL YIELDS IN BUSHELS PER
ACRE—Continued

1956 WHEAT MARKETING QUOTA PROGRAM
COUNTY NORMAL YIELDS IN BUSHELS PER
ACRE—Continued

NEBRASKA-Continued

Normal Normal Lancaster ____ 19.9 yıeld County Chase _____ 20.4 Cherry ____ 9.7 Lincoln ____ 17.5 Cheyenne ___ 24.3 Logan ____ 13.3 Clay _____ 18.3 Colfax _____ 22.4 Cuming ____ 24.8 Loup _____ 13.6 McPherson ___ 10.9 Madison _____ 20.2 Merrick ____ 18.3 Custer _____ 16.0 Dakota _____ 19.0 Morrill _____ 17.7 Nance ______ 20.1
Nemaha _____ 20.4
Nuckolls _____ 17.0
Otoe _____ 21.8
Pawnee _____ 17.4 Dawes _____ 18.8 Dawson ____ 17.4 Deuel _____ 22.9 Dixon ____ 17.8 Dodge _____ 22.6 Perkins _____ 22.9 Phelps _____ 18.0 Douglas ____ 22.5 Dundy ____ 20.7 Pierce _____ 18.0 Platte ____ 22.3 Fillmore ____ 18.3 Franklin ____ 15.4 Frontier ____ 18. 1 Furnas ____ 17. 8 Polk _____ 21.2 Redwillow ____ 18.4 Gage _____ 19.5 Richardson ___ 20.5 Garden _____ 21.3 Garfield ____ 13.8 Rock _____ 11.8 Saline ____ 19.8

Sarpy _____ 23.0 Saunders ____ 22.5 Scotts Bluff __ 21.8 Gosper _____ 19.4 Greeley ____ 16.0 Hall _____ 17. 2 Hamilton ____ 18.8 Seward _____ 21.1 Sheridan ____ 16.9 Harlan ____ 19.6 Sherman ____ 13.9 Sioux ____ 15.3 Hayes ____ 19.4 Hitchcock ___ 19.6

Holt _____ 11.6 Hooker ____ 9.7 Stanton ____ 22.3 Thayer _____ 19. 5 Howard _____ 16.9 Thomas ____ 10.8 Thurston ____ 21.5 Jefferson ____ 18.4 Johnson 19.2 Kearney 16.9 Keith 20.6 Keya Paha 11.8 Valley _____ 16.5 Washington __ 24.3 Wayne ____ 20.2 Webster ____ 17.7 Kimball _____ 17.7 Knox _____ 18.0 Wheeler ____ 14.9 York _____ 20.4

Atlantic ____ 19.1 Middlesex ____ 22.5 Bergen _____ 20.4 Burlington ___ 24.2 Monmouth ___ 24.5 Morris _____ 23.1 Ocean ____ 18.5 Camden _____ 22.8 Cape May ____ 17.9 Passaic _____ 19.6 Salem _____ Cumberland __ 22.4 Essex _____ 21.1 Gloucester ____ 20.7 Somerset ____ 22.3 Sussex _____ 23.6 Union ____ 23.5 Hunterdon ___ 24.3 Mercer ____ 24. 1 Warren ____ 23.1 New Mexico

Bernalillo ____ 11.2 Mora _____ 9.5 Catron _____ 9.7 Chaves ____ 14.4 Otero _____ 19.2 Quay _____ 5.2 Rio Arriba ____ 8.1 Colfax _____ 7.4 Curry _____ 5.7 De Baca ____ 13.6 Dona Ana ___ 26.4. Roosevelt ____ Sandoval ____ 11.5 San Juan ____ 21.8 Eddy _____ 24.4 Grant ____ 19.2 San Miguel --- 7.9 Santa Fe ____ 7.1 Sierra ____ 21.8 Guadalupe ___ 11.8 Harding _____ 4.6 Hidalgo _____ 21.6 Socorro _____ 10. 1 Taos _____ 12.9 Torrance ____ 3.0 Lea _____ 10.3 Lincoln ____ 16.8 Union ____ 5.2 Valencia ___ 13.6

New York Albany _____ 26.7

Luna _____ 17.9 McKinley ____ 12.0

Erie _____ 26.6 Allegany ____ 27.2 Broome ____ 25.8 Cattaraugus __ 26.7 Essex _____ 25.6 Franklin ____ 21.5 Fulton _____ 25.5 Genesee ____ 29.3 Cayuga ____ 27.9 Chautauqua __ 24.3 Greene ____ 29.4 Chemung ____ 28.5 Herkimer ____ 31.6 Chenango ____ 28.7 Jefferson ____ 19.8 Clinton ____ 24.1 Columbia ___ 29.4 Lewis _____ 19.3 Livingston ___ 28.0 Cortland ____ 27.6 Delaware ____, 29.7 Madison ____ 29.9 Monroe ____ 28.6 Montgomery __ 26.3 Emmons ____ 9.8 Morton ____ 10.8 Dutchess ____ 30.4

New York-Continued

Normal	Normal
County yield	County yield
Nassau 25.1	Schoharle 30.7
Niagara 26.4	Schuyler 20.1
Onelda 31.6	Seneca 25,8
Onondaga 28.4	Steuben 24.8
Ontario 29.8	Sunolk 25, 9
Orange 27.4	Sullivan 23.8
Orleans 25.9	Tioga 29, 2
Oswego 23.7	Tompkins 20:9
Otsego 29.2	Ulster 23.9
Putnam 28.9	Warren 27.8
Rensselaer 27.6	Washington 30.3
Rockland 26.3	Wayne 27.1
St. Lawrence 18.9	Westchester _ 30.3
Saratoga 29.6	Wyoming 30.1
Schenectady 27.0	Yates 29.0

Saratoga 29.	. 6		ng				
Schenectady 27.	. U	Yates	~~~~	29. U			
Nort	H Ca	ROLINA					
Alamance 19	. 6	Jones	~ ~ ~ ~ ~ ~ ~ ~ ~ ~	17. 3			
Alexander 16			~~~~~~	20, 0			
Alleghany 22	. 0			20.0			
Anxon 18	, o	Lincoli	1	18.7			
Ashe 17	. 3	McDow	7011	16.4			
Avery 17	. 0	Macon		17.7			
Beaufort 17		Madiso	n	18, 1			
Bertle 20	. 2	Martin		16. 3			
Bladen 21	. 8	Meckle	nburg	16. 9			
Brunswick 20		Mitche	11	16,0			
Buncombe 17	. 9	Montgo	omery	10.0			
Burke 16	. 9			16. 9			
Cabarrus 16			. ~ ~ ~ ~ ~ ~ ~	24.1			
Caldwell 18	. 2		anover	19. 1			
Camden 15		Nort	hamp =				
Carteret 17				16.7			
Caswell 19			7	20.2			
Catawba 16				17, 1			
	. 8		0	19, 2			
	. 2		tank	20, 9			
Chowan 19				19.7			
Clay 15			mans	19.7			
Cleveland 19				17.3			
	. 6			21,4			
	. 1	Polk .		19.4			
	. 9	Rando	lph	17, 3			
	.7		ond	16, 6			
	. 7	Robeso	n	19.0			
	. 6		gham	21.0			
Duplin 22		Rowan		19. 2			
	. 3		ford	18, 8			
	. 6	Samps	on	21.			
	. 9	Scotlar	nd	17.1			
	. 9	Stanly	~~~~~	10,0			
Gaston 18				20, 5			
	. 5		~~~~~	20. 9			
	. 4			15.8			
	. 8		lvania				
	. 3			16.8			
Guilford 20				19.0			
	. 7		~~~~~	19. 3			
	4.4						
Haywood 19			1				
Henderson 18	. 5		ngton				
Hertford 18		watau	ga	18, 1			
Hoke 18							
Hyde 14	. 0						
Iredell 18							
Jackson 18			1				
Johnston 19	. 9	T HITCO	у	17. 3			
Non	NORTH DAKOTA						

1/4	ORTH 1	JAROTA	
Adams	13.4	Foster	13.6
Barnes		Golden Valley	
Benson	13.2	Grand Forks	15. 8
Billings	10.4	Grant	10.5
Bottineau		Griggs	12.7
Bowman	12.4	Hottinger	12.4
Burke	12.3	Kidder	9. 1
Burleigh	10.2	La Moure	13.3
Cass	17.2	Logan	11.4
Cavalier	15.7	McHenry	
Dickey	12.6	McIntosh	10.0
Divide	11.8	McKenzie	12.0
Dunn	11.5	McLean	11.2
Eddy	10.9	Morcor	11.9

1956 Wheat Marketing Quota Pecgram 1956 Wheat Marketing Quota Pecgram County Normal Yields in Bushels per Acre—Continued 1956 Wheat Marketing Quota Pecgram County Normal Yields in Bushels per Acre—Continued 1956 Wheat Marketing Quota Pecgram County Normal Yields in Bushels per Acre—Continued

NORTH DAKOTA—Continued

	Normal	Normal
County	yıeld	County yield
Mountrail .	11. 1	Sioux 10.5
Nelson	13. 5	Slope 12,4
Oliver	12.6	Stark 13.2
Pembina	18. 2	Steele 15.3
Pierce	10.6	Stutsman 13.0
Ramsey	14.0	Towner 13.3
Ranson	15.0	Traill 16.8
Renville	13.5	Walsh 15.9
Richland	14.0	Ward 13.2
Rolette	12.9	Wells 11.9
Sargent	14.0	Williams 16.5
Sheridan		

OHIO

-	
Adams 18.4	Licking 24, 2
:Allen 28.0	Logan 25.8
Ashland 24.5	Lorain 24.6
Ashtabula 24:5	Lucas 28.5
Athens 21.1	Madison 26.1
Auglaize 28.0	Mahoning 26.1
Belmont 23.1	Marion 25.6
Brown 19.1	Medina 25.6
Butler 23.4	Meigs 21.8
Carroll 24.7	Mercer 27.4
Champaign 26.4	Miami 25.9
Clark 26.3	Monroe 22.0
Clermont 21.2	Montgomery 25.4
Clinton 24.0	Morgan 22.7
Columbiana 27.1	Morrow 22.5
Coshocton 22.8	Muskingum 24.1
Crawford 23.7	Noble 21.1
Cuyahoga 23.8	Ottawa 25.5
Darke25.8	Paulding 25.1
Defiance 24.2	Perry 23.9
Delaware 24.3	Pickaway 23.1
Erie 26.4	Pike 19.6
Fairfield 23.9	Portage 25.6
Fayette 24.3	Preble 24.4
Franklin 26.1	Putnam 28.9
Fulton 28.4	Richland 23.7
Gallia 19.4	Ross 22.1
Geauga 25.3	Sandusky 26.9
Greene 24.2	Scioto 20.8
Guernsey 21.2	Seneca 24.9
Hamilton 24.7	Shelby 26.7
Hancock 28.0	Stark 26.6
Hardin 27.3	Summit 26.1
Harrison 24.2	Trumbull 26.1
Henry 27.3	Tuscarawas 24.5
Highland 20.6	Union 24.7
Hocking 19.9	Van Wert 29.4
Holmes 24.7	Vinton 19.7
Huron 24.2	Warren 23.4
Jackson 19.5	Washington 23.0
Jefferson 25.7	Wayne 26. 1
Knox 23.0	Williams 25.6
Lake 25.3	Wood 28.3
Lawrence 19.8	Wyandot 24.3

OKLAHOMA

Adair 12.3	Grady	13.2
Alfalfa 17.6	Grant	17.3
Atoka 12.5	Greer	10.1
Beaver 10.8	Harmon	9.9
Beckham 10.4	Harper	13.2
Blaine 14.6	Haskell	12.4
Bryan 12.2	Hughes	14.5
Caddo 13.2	Jackson	12,7
Canadian 13.5	Jefferson	10.4
Carter 9.5	Johnston	9.5
Cherokee 12.0	Kay	
Choctaw 11.2	Kingfisher	14.2
Cimarron 6.7	Kiowa	11.6
Cleveland 12.6	Le Flore	13.9
Coal 13.1	Lincoln	11.3
Comanche 12.6	Logan	13.7
Cotton 12.8	Love	
Craig 14.3	McClain	13.0
Creek 11.0	McIntosh	11.8
Custer 13.2	Major	
Delaware 14.7	Marshall	10.3
Dewey 11.6	Mayes	12.7
Ellis 11.4	Murray	13.5
Garfield 15.8	Muskogee	12.1

Октанома—Continued

1	Normal		Normal		
County	yield	County	yield		
Nowata	14.5	Rogers	13.6		
Okfuskee	12.7	Seminole	11.3		
Oklahoma	13.2	Sequoyah	13.1		
Okmulgee	11.9	Stephens	10.9		
Osage	16.2	Texas	10.5		
Ottawa	17.3	Tillman	17.3		
Pawnee	15. 1	Tulca	14.6		
Payne	12.9	Wagoner	13.3		
Pittsburg	13.9	Washington .	15. 1		
Pontotoc	13.2	Washita	12.8		
Pottawatomie	_ 15.3	Woods	14.6		
Roger Mills	9.3	Woodward	10.6		
	0				

OBECOM

Baker 27.9	Lane 21.2
Benton 23.0	Lincoln 24.1
Clackamas 25.6	Linn 22.4
Clatsop 26.9	Malheur 37.1
Columbia 21.2	Marion 27.3
Coos 17.8	Morrow 22.2
Crcok 30.6	Multnomah 23.8
Deschutes 27.5	Polk 25.8
Douglas 17.5	Sherman 23.3
Gilliam 24.2	Tillamcok 35.4
Grant 21.9	Umatilla 23.6
Harney 19.7	Union 31.2
Hood River 34.0	Wallowa 22.4
Jackson 23.9	Wasco 24.6
Jefferson 23.4	Washington 29.0
Josephine 21.4	Wheeler 19.6
Klamath 19.2	Yamhill 26.9
Lake 17.4	

PENNSYLVANIA

Adams 20.4	Lackawanna 21.7
Allegheny 22.9	Lancaster 26.1
Armstrong 21.8	Lawrence 24.1
Beaver 25.6	Lebanon 21.5
Bedford 20.9	Lehigh 22.8
Berks 22.2	Luzerne 20.4
Blair 22, 4	Lycoming 20.9
Bradford 22.7	McKean 21.6
Bucks 24.3	Mercer 23.2
Butler 23.7	Millin 23. 1
Cambria 21.7	Monroe 21.6
Cameron 20.4	Montgomery 23.0
Carbon 20.5	Montour 20.2
Centre 23.7	Northampton _ 23.7
Chester 25.7	Northumber-
Clarion 22.7	land 22.0
Clearfield 21.5	Perry 21.4
Clinton 22.7	Philadelphia 24.2
Columbia 21.0	Pilie 20.7
Crawford 23.0	Potter 23.0
Cumberland 22.2	Schuylkill 20.7
Dauphin 21.8	Snyder 21.3
Delaware 25.1	Enmercet 21.7
Elk 21, 1	Sullivan 22.9
Erie 23.9	Susquehanna _ 21.6
Fayette 22.0	Tlega 21.5
Forest 21.4	Union 22.2
Franklin 19.9	Venango 22.1
Fulton 17.8	Warren 21.7
Greene 21.6	Washington 23.0
Huntingdon 19.9	Wayne 21.8
Indiana 20.9	Westmoreland 23.4
Jefferson 23.5	Wyoming 22.6
Juniata 21.1	Yerk 23.4

SOUTH CAROLINA

Choctaw 11	l. 2	Kingfisher 1	4.2	Abbeville	14.3	Colleton	17.4	
Cimarron 6	5.7	Kiowa 1	1.6	Aiken	13.4	Darlington	19. G	
Cleveland 12	2. 6	Le Flore 1	3.9	Allendale	16.2	Dillon	19.9	
Coal 13	3.1	Lincoln 1	1.3	Anderson	16.7	Dorchester	17.7	
Comanche 12	2.6	Logan 1	3.7	Bamberg	15.4	Edgefield	16.7	
Cotton 12	2.8	Love 1	1.2	Barnwell	15. 5	Fairfield	14. 6	
Craig 14	1.3	McClain 1	3.0	Beaufort	15.1	Florence	20.6	
Creek 11	l. 0	McIntosh 1	1.8	Berkeley	18.6	Georgetown	20.4	
Custer 13	3.2	Major 1	5.0	Calhoun	17.9	Greenville	15.9	
Delaware 14	Ł. 7	Marshall 1	0.3	Charleston	18. 1	Greenwood	17.0	
Dewey 11	l. 6	Mayes 1	2.7	Cherokee	17. 2	Hampton	19.0	
Ellis 11	1.4	Murray 1	3.5	Chester	16.5	Horry	22.7	
Garfield 15	5.8	Muskogee 1	2.1	Chestersield	16.7	Jasper	16.0	
Garvin 13	3.4	Noble 1	4.1	Clarendon	19.2	Keréhaw	15.3	

South Carolina—Continued

Normal	Normal
County yield	County yield
Lancaster 17.6	Orangeburg 18.2
Laurena 17.0	Pickens 15.4
Lee 18.0	Richland 17.7
Lexington 15.4	Saluda 16.3
McCormick 14.7	Spartanburg 16.8
Marion 22.3	Sumter 21.4
Marlboro 21.6	Union 16,4
Newborry 16.6	Williamsburg _ 19.8
Oconce 18.5	York 17.0

SOUTH DAKOTA

Aurera 10.4	Jackson 10.2
Beadle 11.1	Jerauld 11.2
Bennett 15.3	Jones 10.1
Bon Homme 10.9	Kingsbury 11.8
Breekings 13.2	Lake 12.1
Brown 91.6	Lawrence 12.8
Brule 10.8	Lincoln 12.3
Buffalo 10.6	Lyman 11.0
Butte 14.1	McCook 12.2
Campbell 11.2	McPherson 9.4
Charles Mix 11.4	Marshall 11.8
Clark 12.2	Meade 11.0
Clay 12.8	Mellette 10.7
Codington 11.5	Miner 10.1
Corcon 10.3	Minnehaha 12.4
Custer 11.8	Moody 12.4
Davicon 11.5	Pennington 10.9
Day 12.5	Perkins 10.1
Dauel 11.3	Potter 10.5
Devrey 10.7	Roberts 12.4
Dauglas 10.7	Sanborn 10.5
Edmunds 10.2	Shannon 15.4
Fall River 13.0	Spink 10.5
Faull: 10.3	Stanley 10.2
Grant 12.9	Sully 12.6
Gregory 11.4	Todd 11.1
Haakon 10.5	Tripp 10.9
Hamlin 12.7	Turner 12.4
Hand 11.0	Union 12.9
Hancon 11.7	Walworth 10.6
Harding 10.8	Wachabaugh 12.3
Hughes 9.9	Yankton 12.6
Hughes 9.9 Hutchincon 10.7	Ziebach 11.3
Hyde 10.3	
•	

TENNESSEE

41	T
Andercon 13.9	Haywood 14.0
Bedford 13.9	Henderson 11.6
Benton 12.5	Henry 16.0
Bledcoe 12.2	Hickman 11.1
Blount 16.6	Houston 14.4
Bradley 13.5	Humphreys 12.7
Campbell 15.8	Jackson 11.2
Cannon 12.5	Jefferson 17.9
Carroll 13.9	Johnson 15.8
Carter 16.7	Knox 16.0
Cheatham 18.1	Lake 16.4
Chester 16.4	Lauderdale 19.3
Claiborne 15.1	Lawrence 12.7
Clay 12.4	Lewis 11.2
Cocko 14.0	Lincoln 13.3
Coffee 14.2	Loudon 14.9
Crockett 15.5	McMinn 13.1
Cumberland 11.8	McNairy 13.9
Davidcon 17.4	Macon 11.4
Decatur 11.2	Madison 14. 1
De Kalb 12.5	Marion 13.5
Dickson 13.2	Marshall 13.7
Dyer 15.2	Maury 16.2
Fayette 15.0	Melgs 12.4
Fentress 15.4	Monroe 13.1
Franklin 15.8	Montgomery 17.3
Gibcon 12.4	Moore 13.2
Glle: 12.6	Morgan 14.9
Grainger 14.8	Oblon 16.2
Greene 13.7	Overton 13.6
Grundy 16.3	Perry 9.8
Hamblen 16.9	Pickett 14.7
Hamilton 14.2	Polk 14.1
Hancock 13.2	Putnam 12.3
Hardeman 15.8	Rhea 14.5
Hardin 11.7	Roans 13.9
Hawkins 15.2	Robertson 17.4

RULES AND REGULATIONS

Treatment	COUNTY NORMAL Y	ting Quotá Program- ields in «Bushels per	COUNTY NORMAL Y	TING QUOTA PROGRAMIELDS IN BUSHELS PER	COUNTY NORMAL Y	TING QUOTA PROGRAM TELDS IN BUSHELS PER
Normal N	Acre—Continued	-Continued	Acre-Continued	Continued	Acre—Continued	Continued
County price Coun						
Section 15.5 Unicon 14.6 Sunnels 16.8 Surry 10.1 Surry 20.6 Westmoreland, 22.7 Service 15.2 Unicon 14.6 Surry 16.9 Surry	County yield	County yield	County yield	County yield	County yield	County yield
Sequence 13.8 Van Buren 13.5 San Saha 11.8 Uvaldo 7.6 Sussex 10.2 Wise 14.7 Sevente 13.8 Warren 13.0 Warren 13.7 Sevente 14.0 Waskley 14.0 Santhi 11.0 Sevente 14.0 Waskley 14.0 Summer 13.7 Williamson 15.4 Stephens 7.7 Whester 8.8 Summer 13.1 Williamson 15.4 Stephens 7.7 Whester 8.8 Summer 15.7 Williamson 15.4 Stephens 7.7 Whester 15.6 Calcium 15.7 Summer 15.7 Williamson 15.4 Stephens 7.7 Whester 15.6 Calcium 15.7 Summer 15.7 Whester 15.0 Wilson 15.0 Calcium 15.7 Summer 15.7 Whester 15.0 Wilson 15.0 Calcium 15.7 Summer 15.7 Whester 15.0 Wilson 15.0 Calcium 15.0 Summer 15.7 Whester 15.0 Calcium 15.0						
Selection 16.0 Washington 15.4 Sourry 6.4 Victoria 8.7 Warren 18.8 York 18.5 Smith 10.1 Wayne 10.7 Sourry 6.4 Victoria 8.7 Warren 18.6 York 18.5 Smith 10.1 Warren 15.1 Warren 15.1 Warren 15.1 Smith 15.1 Williams 15.4 Somervell 9.0 Warren 15.7 Smith 15.7 Williams 15.4 Somervell 9.0 Warren 15.7 Warren 15.7 Trouglade 11.1 Trouglade 11.1 Trouglade 15.7 Warren 15.8 March 15.7 Andrew 4.9 Ball 9.7 Swine 10.0 Williamson 3.8 College 15.0 Senton 31.5 March 31.6 Archer 9.1 Hamilton 8.3 Tsylor 7.2 Yoskum 8.8 College 35.1 Armstrong 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 35.1 Armstrong 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 35.1 Amutin 7.0 Hartley 9.0 Baligy 7.0 Hartley 9.0 Barren 7.0 Hartley 9.0 Barren 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 7.0 Barren 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 32.1 Barren 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 32.1 Barren 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 32.1 Barren 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 32.1 Barren 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 32.1 Barren 10.1 Hargeford 11.1 Terry 6.2 Young 8.7 Collumb 32.2 Trouglade 32.1 Trouglade	Sequatchie 13.8	[^] Van Buren 13.5	San Saba 11.8	Uvalde 7.8	Sussex 19.2	Wise 14, 7
Service 1.1 1.3 Wayne 10.7 Stackelford 7.5 Walte 0.1 Wastistorosi						
Sullivan 15.1 White 14.4 Somervell 9.0 Whatton 9.0 Adams 22.5 Adams 23.5	Smith 11.3	Wayne 10.7	Shackelford 7.9	Waller 9.1		AUIR MANAGERE 10:0
Summer 13.7 Williamson 15.4 Stephens 7.7 Wheeler 8.5 Adams 22.8 Lovid 21.5 Locid 30.5 Locid 30					Washi	NGTON
Trough	Sumner 13.7	Williamson 15.4	Stephens 7.7	Wheeler 8.8		
Andrew		Wilson 13.4				
Agricor Agri		EXAS	Sutton 9.0	Williamson 9.3	Chelan 18.7	Okanogan 20 C
Armetrong J. 10. Hangiford 11. Terry 6.2 Young 8.7 Cowlite 13.2 Pierce 25.5 Austria 7.0 Barria 7.0 Barria 7.0 Bandera 7.0 Barria 7.0 Bar						
Austin 7.0 Harris 7.6 Hartiey 9.0 City 7.0 City 7.0 City 7.0 Hartiey 9.0 City 7.0 Ci	Archer 9.1	Hamilton 8.3	Taylor 7.2		Columbia 32, 2	Pierce 25.2
Austin						
Bandren 9.9 Haskel 9.0 Sav Empt 24 Fluth 20.9 Grant 23.8 Spokane 25.0 Spokane 25	Austin 7.9	Harris 7.6			Ferry 16.3	Skamania 19.6
Bastrop 10.5 Hays 8.4 Beaver 22.4 Flute 28.9 Grapt 22.3 Selvens 21.0			បា	HAT		
Bell 9.4 Hill 9.5 Carbon 25.6 San Juan 15.8 Jefferson 25.4 Walkinkum 26.5	Bastrop 10.3	Hays 8.4			Grant 22.3	Stevens 21, 9
Bear 9.4 Hill						Thurston 22.3
Elanco	Eell 9.4	Hill 9.5	Carbon 25. 6	San Juan15. 3	Jefferson 25.4	Walla Walla 20.8
Borden 4.9 Howard 5.2 Duchesne 25.0 Summit 23.5 Kittlista 36.5 Yakima 32.9						
Bornic 12.4 Hunf 12.0 Gardied 20.4 Ultatah 25.7 Ultah 25.7	Borden 4.9		Duchesne 25.0	Summit 28.3	Kittitas 35.9	
Briscos 9.3 Hutchisson 10.4 Grand 20.8 Utah 23.0 Briscos 7.5 Irlon 7.1 Iron 13.7 Wasatch 35.9 Barbour 17.9 Mineral 18.0 Brown 7.6 Jack 7.7 Juab 15.1 Wasatch 35.9 Barbour 17.6 Mingo 11.6 Brown 7.6 Jack 7.7 Juab 15.1 Wasatch 35.9 Barbour 17.6 Mingo 11.6 Juab 17.6 Mingo 11.6 Mingo 11						
Brurles	Brazos 9.3		Grand 20.8	Utah 23.0		⁷ IRGINIA
Burnet S. 2 Jackson S. 0 Kane 15.1 Wayne 33.5 Boone 14.7 Monongalla 21.0 Caldwell 8.2 Jeff Payls 12.9 Morgan 27.6 Weber 32.5 Braxton 14.0 Montoo 10.5 Caldwell 8.8 Johnson 10.5 Morgan 27.6 Weber 32.5 Braxton 14.0 Montoo 10.5 Caldwell 8.8 Johnson 10.5 Morgan 27.6 Caldwell 8.8 Johnson 10.5 Morgan 14.5 Caldwell 8.8 Johnson 10.5 Morgan 14.5 Caldwell 16.1 Morgan 14.5						
Callabama 8.3 Johnson 10.5 Morgan 27.6 Brooke 19.3 Morgan 14.5 Callabama 8.3 Johnson 10.5 Morgan 27.6 Callabama 8.3 Johnson 10.5 Morgan 27.6 Cabell 11.6 Morgan 14.5 Callabama 10.1 Cabron 15.7 Castron 8.5 Kaufman 9.5 Accomac 20.2 Isle of Wight 22.9 Cabron 15.1 Ohlo 10.5 Cabron 15.1 Ohlo 15.1 Ohlo 10.5 Cabron 15.1 Ohlo 15.1 Ohlo 10.5 Cabron 15.1 Ohlo 10.5 Cabron 15.1 Ohlo 10.5 Cabron 15.1 Ohlo 15.1 Ohlo 10.5 Cabron 15.1 Ohlo 15.1 Ohlo 10.5 Cabron 15.1 Ohlo 1	Burleson 9.2	Jackson 9.0	Kane 15. 1	Wayne 33.7	Boone 14.7	
Carson 9.7 Vincinia Cabell 16.3 Micholes 18.9 Carson 9.7 Carson 9.7 Karres 10.1 Castro 8.9 Kaufman 9.5 Accomac 20.2 Isle of Wight 22.9 Clap 11.9 Pendleton 17.9 Containers 7.5 Kendall 8.0 Albemarie 19.3 James City 17.6 Collidares 8.8 Kent 6.0 Albemarie 19.3 James City 17.6 Collidares 8.8 Kent 6.0 Albemarie 19.3 James City 17.6 Collidares 11.9 Pendleton 17.9 Collidares 8.8 Kent 6.0 Albemarie 19.7 Queen 19.5 Collidares 18.9 Collidares				Weper 32.5		
Castro S. Karnes 10.1 Castro S. Castro S. Castro S. Castro S. Castro S. Castro S. Castro Castro S. Castro Castro S. Castro Cas	Callahan 8.3		=	INIA	Cabell 16.3	Nicholas 18.8
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1956 WHEAT MARKETING QUOTA PROGRAM
COUNTY NORMAL YIELDS IN BUSHELS PER
ACRE—Continued

Wisconsin-Continued

County Portage Price Racine Richland Rock St. Croix Sauk Sawyer Shawano Sheboygan	16.6 18.4 27.2 22.6 26.0 16.9 21.0 23.1 22.8 26.7	County Trempealeau	20.8 24.3 18.1 26.0 15.3 27.1 25.6 20.0 17.4 26.3
Sheboygan Taylor	26.7 20.2	Wood	_ 20.9

WYONING

Campbell 14.8 Carbon 13.1 Converse 13.8 Crook 15.8 Fremont 27.6 Goshen 16.8	
	Teton 21.8 Uinta 23.0 Washakie 25.8

(Sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interprets or applies sec. 301, 52 Stat. 38, as amended; 7 U. S. C. 1301)

Done at Washington, D. C., this 22d day of December 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-10400; Filed, Dec. 28, 1955; 8:52 a. m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter I—Determination of Prices [Sugar Determination 878.8]

Part 878—Sugarcane; Virgin Islands

1956 CROP

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation, and due consideration of the evidence obtained at the public hearing held in Christiansted, St. Croix, Virgin Islands, on October 11, 1955, the following determination is hereby issued:

§ 878.8 Fair and reasonable prices for the 1956 crop of Virgin Islands sugarcane. A producer of sugarcane in the Virgin Islands who is also a processor of sugarcane (hereinafter referred to as "processor") shall have paid, or contracted to pay, for sugarcane of the 1956 crop grown by other producers and processed by him, prices determined in accordance with the following requirements:

- (a) Definitions. For the purpose of this section, the term:
- (1) "Raw sugar" means 96° raw sigar.
- (2) "Settlement period" means the two-week period in which sugarcane is delivered by the producer to the processor. The first such period shall start

on Monday of the week grinding commences and successive periods shall start at two-week intervals thereafter.

(3) "Average price of raw sugar" means the simple average of the daily spot quotations of raw sugar of the New York Coffee and Sugar Exchange (domestic contract) adjusted to a dutypaid basis by adding to each daily quotation the United States duty prevailing on Cuban raw sugar on that day, for the period on which settlement is based, except that, if the Director of the Sugar Division determines that for any such period such average price does not reflect the true market value of raw sugar because of inadequate volume or other factors, he may designate the average price to be effective under this determination, which he determines will reflect the true market value of raw sugar.

(4) "F o. b. mill price" means the average price of raw sugar minus selling and delivery expenses (converted to a pound unit) actually incurred by the processor in the marketing of 1956 crop raw sugar (other than bags or storage in company warehouses)

(5) "Yield of raw sugar" means the yield of raw sugar per 100 pounds of sugarcane determined for each settlement period in accordance with the following procedure:

A representative sample of not less than six stalks of sugarcane shall be taken from each producer's truckload or partial lead and the juice shall be extracted by a laboratory power mill. Correlating factors chall be established between the laboratory power mill juice and the factory crusher juice brix and sucrose not less than once weelly during a continuous 8-hour period. While establishing these correlating factors, the "cucheush" or juice screenings shall be returned to the milling process at a point after the first crusher, that is, before the second or third or any subsequent mill. The correlating factors then shall be applied to the laboratory mill analysis of brix and sucrose to bring the laboratory mill enalysis to the equivalent of factory crusher juice analysis.

Application shall then be made of the formula, R = (S - 0.3B)F, in which:

R=Recoverable sugar yield, 90° polarization.

S=Polarization of the crusher juice obtained from the sugarcane of each producer.

B=Brix of the crusher juice obtained from
the sugarcane of each producer

the sugarcane of each producer.

F=Factor obtained from the fraction whose numerator is the average yield of sugar, 96° polarization, obtained from the aggregate grinding during each cettlement period in which the sugarcane of the producer has been ground and where denominator is the average polarization of the crusher juice minus three-tenths of the brix of the crusher juice, both components of the denominator being obtained from the aggregate grinding during the cettlement period in which the sugarcane of the producer has been ground.

(b) Basic payment. The processor shall pay, or contract to pay, the producer for sugarcane delivered during a settlement period the f. o. b. mill price of that portion of the raw sugar determined by applying the following applicable percentage to the yield of raw sugar from the producer's sugarcane:

Yield of raw sugar per 100 pounds

of sugarcane (pounds)	Percentage
6.9	59.0
7.9	
8.0	
9.0	62.0
10.0	€3.0
11.0	64.0
12.0	

Intermediate points within the scale are to be interpolated to the nearest one-tenth point. Points below 6 pounds or above 12 pounds of raw sugar are to be in proportion to the immediately preceding interval.

(c) Molasses payment. The processor shall pay the producer for each 100 pounds of sugarcane delivered an amount computed by applying the following applicable percentage to the net proceeds derived from the sale of blackstrap molasses produced per 100 pounds of sugarcane for the 1956 crop:

Yield of raw sugar per 100 pounds

of sugarcane (pounds)	Percent aga
6.0	83.0
7.0	
8.0	74.0
9.0	6S. O
10.0	62.0
11.0	55.0
12.0	

Intermediate points within the scale are to be interpolated to the nearest one-tenth point. Points below 6 pounds or above 12 pounds of raw sugar are to be in proportion to the immediately preceding interval.

(d) Transportation allowances to producers. The processor shall make an allowance to the producer equal to 50 percent of the rate, as agreed upon between the parties, for loading sugarcane at the farm and for its transportation to the mill.

(e) Reporting requirement. The processor shall submit in duplicate to the Caribbean Area Agricultural Stabilization and Conservation Office, San Juan, Puerto Rico, for approval a certified statement of the actual deductions made in determining the f. o. b. mill price of raw sugar and the net proceeds from blackstrap molasses.

'(f) Subterfuge. The processor shall not reduce returns to the producer below those determined in this section through any subterfuge or device whatsoever.

STATEMENT OF DASES AND CONSIDERATIONS

(a) General. The foregoing determination establishes fair and reasonable prices to be paid for sugarcane of the 1956 crop by a producer who processes sugarcane grown by other producers. It establishes the minimum requirements with respect to prices for sugarcane which must be met by such producer as one of the conditions for payment under the act.

(b) Requirements of the act. Section 301 (c) (2) of the act provides that the producer on the farm who is also, directly or indirectly a processor of sugarcane, as may be determined by the Secretary, shall have paid or contracted to pay under either purchase or toll agreements, for any sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due

notice and opportunity for public hear-

(c) 1956 price determination. 1956 price determination continues the provisions of the 1955 determination except for a change in the method of calculating the quality of sugarcane delivered by producers. The change permits the establishing of the correlating factors between the laboratory power mill juice and the factory mill crusher juice, once weekly instead of twice weekly as in prior years.

At the public hearing held in Christiansted, St. Croix, Virgin Islands, interested persons presented testimony on fair and reasonable prices for the 1956 crop of Virgin Islands sugarcane. The representative of the Virgin Islands Corporation recommended that the determination be modified to permit the mill to change the frequency of computing the correlating factors between the juices extracted by the laboratory mill and the factory mill crusher. The witness stated that this change was necessary because it was proposed to introduce the cush-cush (cane juice screenings) at a point prior to the first mill or crusher, in order to achieve more efficient factory operations. To obtain the most effective results, the proposed system should be used as continuously as possible and, accordingly, the correlating factors should be established less frequently. The witness recommended no other changes in the 1956 determination as compared with the 1955 determination. Two representatives of producers stated that they were in favor of the change recommended by the corporation since it was designed to improve milling efficiency and thereby increase sugar recoveries and producers' returns from sugarcane. These witnesses recommended no other changes in the determination.

Consideration has been given to the recommendations made at the public hearing, to the results of investigations, to the financial position of producers and the processor, and to other pertinent factors. Financial reports of the Virgin Islands Corporation, which is the largest grower and only processor of sugarcane in the Islands, shows that losses on sugar operations for the year 1955, although not as large as in recent years, continue to be substantial. Because of these continuing annual losses on sugar operations, the standards customarily considered in price determinations in other cane-producing areas cannot be applied in the usual manner. However, the sharing relationship specified in this determination provides returns to producers which compare favorably with those obtained by sugarcane producers in other offshore areas.

The recommendation of the Virgin Islands Corporation for a change in the frequency of establishing correlating factors between the laboratory mill and the factory crusher mill has been adopted. In prior years samples of sugarcane delivered by producers were ground in a laboratory mill and the cane juice analyzed for sucrose and brix. Cane juice samples were then taken from the mill crusher and correlating factors

were established between the two test samples every third day during a 12hour period. In the former process the cane juice screenings were introduced at the second or subsequent mill and did not affect the crusher juice analysis.

Under the proposed system the cushcush, or cane juice screenings, is to be returned to the milling process at a point prior to the crusher mill and, accordingly, the crusher juice analysis will be affected. To achieve the most efficient results, it is desirable to have the cushcush returned to the mill carrier for extended periods of time. The establishment of correlating factors once weekly for a continuous 8-hour period, during which time the cush-cush would be returned to the second or subsequent mill. would provide approximately optimum conditions. The proposed change is expected to result in higher recoveries of sugar from the same quality of sugarcane.

Accordingly, I hereby find and conclude that the foregoing price determination is fair and reasonable and will effectuate the price provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S. C. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. 1131)

Issued this 22d day of December 1955.

TRUE 'D. MORSE. Acting Secretary of Agriculture.

[F. R. Doc. 55-10403; Filed, Dec. 28, 1955; 8:53 a. m.1

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO-83-A19]

PART 934-MILK IN MERRIMACK VALLEY, MASS., MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING Sec.

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AUTHORITY: §§ 934.0 to 934.84 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C.

§ 934.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

- (a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Merrimack Val-Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:
- (1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;
- (2) The parity prices of milk produced for sale in the said marketing area, as determined pursuant to section 2 of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and
- (3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.
- (b) Additional findings. It is necessary in the public interest to make this order amending the order, as amended, effective not later than January 1, 1956. Any delay beyond that date will seriously threaten the orderly marketing of milk in the Merrimack Valley, Massachusetts, marketing area.

The provisions of the said order are well known to handlers, the public hearing having been held on April 18 to May 5, 1955, the recommended decision having been issued on July 29, 1955, and the final decision having been issued on September 13, 1955. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effective January 1, 1956, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the Federal Register (See sec. 4 (c) Administrative Procedure Act. 5 U.S. C. 1001 et seg.)

(c) Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended,

- which is marketed within the Merrimac's Valley, Massachusetts, marketing area) of more than 50 percent of the milks which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:
- (1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act:
- (2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and
- area; and
 (3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (July 1955), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Merrimack Valley, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order is hereby further amended to read as follows:

DEFINITIONS

§ 934.1 General definitions. (a) "Act means Public Act No. 10, 73d Congress, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Merrimack Valley, Massachusetts, marketing area," also referred to as the "marketing area" means the territory included within the boundary lines of the following Massachusetts cities and towns:

Andover, Merrimac,
Billerica, Methuen,
Chelmsford, North Andover,
Dracut, Tewisbury,
Groveland, Tyngsboro,
Haverhill, Westford,
Lawrence, West Newbury,
Lowell,

- (c) "Order" used with the name of a marketing area other than the Merrimack Valley, Massachusetts, marketing area, means the order issued by the Secretary regulating the handling of milk in the other marketing area.
 - (d) "Month" means a calendar month.
- § 934.2 Definitions of persons. (a) "Person" means any individual, partnership, corporation, association, or any other business unit.
- (b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture,

- (c) "Dairy farmer" means any person who delivers bulk milk of his own production to a plant.
- (d) "Dairy farmer for other markets" means any dairy farmer whose milk is received by a handler at a pool plant during the months of March through September from a farm from which the handler, an afiliate of the handler, or any person who controls or is controlled by the handler, received nonpool mill: during any of the preceding months of October through February, except that the term shall not include any person who was a producer-handler during any of the preceding months of October through February, nor any dairy farmer from whom the handler received nonpool milk during such months of October through February only at a plant which met all the applicable requirements for pool plant status under this order in those months except that it was a pool plant under the Boston order.
- (e) "Producer" means any farmer whose mill: is delivered from his farm to a pool plant, except a dairy farmer for other markets and a dairy farmer with respect to exempt milk delivered. The term shall also include a dairy farmer with respect to his operation of a farm from which milk is ordinarily delivered to a handler's pool plant, but whose mill: is diverted to another plant, if the handler, in filing his monthly report pursuant to § 934.30, reports the milk as receipts from a producer at such pool plant and as moved to the other plant. The term shall not apply to a dairy farmer who is a producer under the Boston, Worcester, or Springfield orders, with respect to milk diverted from the plant subject to the other order to which the dairy farmer ordinarily delivers.
- (f) "Association of producers" means any cooperative marketing association which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, Imown as the "Capper-Volstead Act" and to be engaged in making collective sales or marketing of milk or its products for the producers thereof.
- (g) "Handler" means any person who, in a given month, operates a pool plant, or any other plant from which fluid mills products are disposed of, directly or indirectly, in the marketing area.
- (h) "Pool handler" means any handler who operates a pool plant.
- (1) "Producer-handler" means any person who is both a handler and a darry farmer, and who receives no milk other than exempt milk from other darry farmers except producer-handlers.
- (j) "Buyer-handler" means any handler who operates a bottling or processing plant from which more than 10 percent of his total receipts of fluid milliproducts, other than cream, are disposed of by him as Class I milk in the marketing area, and whose entire supply of fluid milk products is received from other handlers.
- (k) "Dealer" means any person who operates a plant at which he engages in the business of distributing fluid milk products, or manufacturing milk products, whether or not he disposes of any

fluid milk products in the marketing area.

- (1) "Consumer" means any person to whom fluid milk products are disposed of, except a dealer. The term "consumer" includes, but is not limited to, stores, restaurants, hotels, bakeries, hospitals and other institutions, candy manufacturers, soup manufacturers, livestock farmers, and similar persons who are not necessarily the ultimate users. The term also includes any dealer in his capacity as the operator of any of these establishments, and in connection with any other use or disposition of fluid milk products not directly related to his operations as a dealer.
- § 934.3 Definitions of plants. (a) "Plant" means the land, buildings, surroundings, facilities and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk or milk products.
- (b) "City plant" means any plant which is located within 10 miles of the marketing area.
- (c) "Country plant" means any plant which is located beyond 10 miles of the marketing area.
- (d) "Receiving plant" means any plant which is currently used for receiving, weighing or measuring, sampling, and cooling milk received there directly from dairy farmers' farms in cans, and for washing and sterilizing such cans; or which is currently used for receiving milk directly from dairy farmers' farms by tank truck; and at which are currently maintained weight sheets or other records of the individual farmer's deliveries.
- (e) "Pool plant" means any receiving plant which, in a given month, meets the conditions and requirements set forth in §§ 934.20, 934.21, and 934.22 for being considered a pool plant in that month.
- (f) "Regulated plant" means any pool plant; any pool handler's plant which is located in the marketing area and from which Class I milk is disposed of in the marketing area, any plant operated by a handler in his capacity as a buyer-handler or producer-handler; and any city plant operated by an association of producers.
- § 934.4 Definitions of milk and milk products. (a) "Milk" means the commodity received from a darry farmer at a plant as cow's milk. The term also includes milk so received which later has its butterfat content adjusted to at least one-half of 1 percent but less than 10 percent; frozen milk; reconstituted milk; and 50 percent of the quantity, by weight, of "half and half."
- (b) "Cream" means that portion of milk, containing not less than 16 percent of butterfat, which rises to the surface of milk on standing, or is separated from it by centrifugal force. The terms also include sour cream; frozen cream; milk and cream mixtures containing 16 percent or more of butterfat; and 50 percent of the quantity, by weight, of "half and half."
- (c) "Half and half" means any fluid milk product, except concentrated milk,

the butterfat content of which has been adjusted to at least 10 percent but less than 16 percent.

- (d) "Skim milk" means that fluid product of milk which remains after the removal of cream, and which contains less than one-half of 1 percent of butterfat.
- (e) "Fluid milk products" means milk, flavored milk, cream, skim milk, flavored skim milk, cultured skim milk, buttermilk, and concentrated milk, either individually or collectively.
- (f) "Pool milk" means milk, including milk products derived therefrom, which a handler has received as milk from producers.
 - (g) "Outside milk" means:
- (1) All milk received from dairy farmers for other markets;
- (2) All fluid milk products, other than cream, received at a regulated plant from an unregulated plant, up to the total quantity of nonpool milk received at the unregulated plant; except exempt milk, receipts from New York order pool plants which are assigned to Class I milk pursuant to § 934.27, and receipts from regulated plants under the Boston, Worcester, or Springfield orders;
- (3) All Class I milk, after subtracting receipts of Class I milk from regulated plants, which is disposed of to consumers in the marketing area from an unregulated plant, except a regulated plant under the Boston or Worcester orders, without its intermediate movement to another plant.
- (h) "Concentrated milk" means the concentrated, unsterilized milk product, resembling plan condensed milk, which is disposed of to consumers for human consumption in fluid form.
- (i) "Exempt milk" means milk which is received at a regulated plant:
- (1) In bulk from an unregulated plant, or from the dairy farmer who produced it, for processing and bottling, and for which an equivalent quantity of packaged milk is returned to the dairy farmer or to the operator of the unregulated plant during the same month; or
- (2) In packaged form from an unregulated plant in return for an equivalent quantity of bulk milk moved from a regulated plant for processing and bottling during the same month.

MARKET ADMINISTRATOR

§ 934.10 Designation of market administrator The agency for the administration of this part shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 934.11 Powers of market administrator. The market administrator shall have the following powers with respect to this part:

(a) To administer its terms and provisions;

(b) To make rules and regulations to effectuate its terms and provisions;

(c) To receive, investigate, and report to the Secretary complaints of violations of its terms and provisions; and

(d) To recommend to the Secretary amendments to it.

§ 934.12 Duties of market administrator. The market administrator, in addition to the duties described in other sections of this part, shall:

(a) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond conditioned upon the faithful performance of his duties, in an amount and with sureties thereon satisfactory to the Secretary.

(b) Employ and fix the compensation of such persons as may be necessary to enable him to exercise his powers and perform his duties;

(c) Pay, out of the funds provided by § 934.72, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(d) Keep such books and records as will clearly reflect the transactions provided for in this part and surrender the same to his successor, or to such other person as the Secretary may designate;

(e) Prepare and disseminate for the benefit of producers, consumers, and handlers, statistics and information concerning the operation of this part;

(f) Promptly verify the information contained in the reports submitted by handlers; and

(g) Give each of the producers delivering to a plant, as reported by the handler, prompt written notice of his actual or potential loss of producer status for the first month in which the plant's status has changed or is changing to that of a nonpool plant.

CLASSIFICATION

§ 934.15 Classes of utilization. All milk and milk products received by a handler shall be classified as Class I milk or Class II milk. Subject to §§ 934.16, 934.17, and 934.18, the classes of utilization shall be as follows:

(a) Class I milk shall be:

(1) All fluid milk products sold, distributed, or disposed of as or in milk:

- (2) All fluid milk products sold, distributed, or disposed of for human consumption as or in flavored milk, skim milk, flavored or cultured skim milk, or buttermilk;
- (3) Ninety-eight percent, by weight, of the fluid milk products used to produce concentrated milk; and
- (4) All fluid milk products the utilization of which is not established as Class II milk.
- (b) Class II milk shall be all fluid milk products the utilization of which is established:
- (1) As being sold, distributed, or disposed of other than as specified in subparagraphs (1), (2) and (3) of paragraph (a) of this section; and
- (2) As plant shrinkage, not in excess of 2 percent of the volume handled,
- § 934.16 Classification of interplant movements of fluid products other than cream. Fluid milk products, except cream, moved to another plant from a pool plant or from the city plant of an association of producers shall be classified as follows:
- (a) If moved to another pool plant, they shall be classified in the class to

which they are assigned at the plant of receipt pursuant to §§ 934.25 and 934.26.

- (b) If moved to a buyer-handler's plant, they shall be classified as Class I milk, unless Class II utilization is established.
- (c) If moved to a producer-handler's plant, or to any unregulated plant except a plant subject to the Boston, Worcester, or Springfield orders, they shall be classified as Class I milk up to the total quantity of the same form of fluid milk products utilized as Class I milk at the plant to which they were moved.

(d) If moved to a plant subject to the Boston, Worcester, or Springfield orders, they shall be classified in the same class to which the receipt is assigned under such order.

(e) If moved to a regulated plant of a nonpool handler, except the city plant of an association of producers, or to any unregulated plant except a plant subject to the Boston, Worcester, or Springfield orders, and thence to another plant, they shall be classified by applying the provisions of paragraphs (a) through (d) of this section, whichever is applicable, except that if the other plant to which such movement is made is located outside of the New England States and New York State, they shall be classified as Class I milk.

§ 934.17 Classification of interplant movements of cream, and of milk products other than fluid milk products. Cream and milk products other than fluid milk products moved from the regulated plant of a pool handler to another plant shall be classified as Class II milk.

§ 934.18 Responsibility of handlers in establishing the classification of milk.
(a) In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove that such milk should not be classified as Class I milk.

(b) In establishing the classification of any pool milk received in the form of cream or milk products other than fluid milk products, or any nonpool milk or milk products received by a handler, the burden rests upon the receiving handler to account for such milk and milk products and to prove that such milk and milk products should not be classified as Class I milk.

DETERMINATION OF POOL PLANT STATUS

§ 934.20 Basic requirements for pool plant status. Each receiving plant shall be a pool plant during each month in which it meets the applicable requirements contained in § 934.21 or § 934.22, together with the following basic requirements:

(a) A majority of the dairy farmers delivering milk to the plant hold certificates of registration issued pursuant to Chapter 94, Sections 16C and 16G, of the Massachusetts General Laws.

(b) The handler operating the plant holds a license which has been issued by the milk inspector of a city or town in the marketing area, pursuant to Chapter 94, Section 40, of the Massachusetts General Laws, or a majority of the dairy farmers delivering milk to the plant are

approved by such an inspector as sources of supply for milk for sale in his municipality.

(c) The plant is operated neither as the plant of a producer-handler nor as a pool plant pursuant to the provisions of the Boston, New York, Worcester, or Springfield orders.

(d) Each of a handler's plants which is a nonpool receiving plant during any of the months of October through February shall not be a pool plant in any of the following months of March through September in which it is operated by the same handler, an affiliate of the handler, or any person who controls or is controlled by the handler, unless its operation during October through February was in the handler's capacity as a producer-handler. This paragraph shall not apply to any plant which met all the applicable requirements for pool plant status under this part during each of such months of October through February, except that it was operated as a pool plant pursuant to the provisions of the Boston order. Also, any plant which otherwise met all of the requirements for pool plant status during each of the months of October 1955 through February 1956 shall not be a nonpool plant during the months of March through September 1956, solely because of the previously effective language of the dealer definition which did not make the operation of a plant a qualifying condition under such definition.

§ 934.21 Additional requirements for city pool plants. Each city receiving plant shall be a pool plant in each month in which at least 10 percent of its total receipts of fluid milk products other than cream is disposed of in the marketing area as Class I milk, or in which it is operated by an association of producers. In determining whether a city plant has disposed of the required 10 percent of its receipts as Class I milk in the marketing area, the total quantity of fluid milk products, other than cream, moved from that plant to another city plant which is a regulated plant shall be considered as a disposition of Class I milk in the marketing area up to the quantity of Class I milk disposed of in the marketing area from the other plant.

§ 934.22 Additional requirements for country pool plants. (a) Each country receiving plant shall be a pool plant in any month in which more than 30 percent of its total receipts of fluid milk products, other than cream, after deducting Class I sales direct to consumers outside the marketing area, is disposed of directly to consumers in the marketing area as Class I milk or is shipped as milk to city plants at which more than 50 percent of the total receipts of fluid milk products, other than cream, is disposed of as Class I milk: Provided, That the quantity of fluid milk products, other than cream, disposed of in the marketing area as Class I milk, is at least 10 percent of its total receipts of fluid milk products other than cream.

(b) Any country plant which is a pool plant continuously in each of the months from October through February shall be a pool plant continuously for the

following months of March through September, regardless of the quantity then disposed of in the marketing area, if the handler's written request for pool plant status for such seven-months' period is received by the market administrator before March 1 of that year. Changes in the identity of the handler operating the plant shall not affect the application of this paragraph.

ASSIGNMENT OF RECEIPTS TO CLASSES

§ 934.25 Assignment of pool handlers' receipts to Class I milk. For the purpose of computing the net quantity of each pool handler's Class I milk for which a value is to be computed pursuant to \$934.50, his receipts of milk and milk products shall be assigned to Class I milk in the following sequence:

(a) Receipts of exempt milk.

(b) Receipts from regulated plants under other Federal orders, which are assigned to Class I milk pursuant to § 934.27.

(c) Receipts of fluid milk products, other than cream and bulk skum milk, from the regulated city plants of other handlers.

(d) Receipts of milk from producers at a handler's country plant equal to the volume of fluid milk products disposed of directly from the country plant as Class I milk outside the marketing area without being received at a city plant.

(e) Receipts of milk directly from producers at the handler's city plant.

(f) Receipts of outside milk at the handler's city plant.

(g) Receipts of fluid milk products, other than cream and bulk skim milk, from the country pool plants of other handlers, in the order of the nearness of the plants to the City Hall in Lawrence.

(h) Receipts of milk from producers at the handler's country plants not previously assigned pursuant to paragraph (d) of this section in the order of the nearness of the plants to the City Hall in Lawrence.

(i) Receipts of outside milk at the handler's country plants, in the order of the nearness of the plants to the City Hall in Lawrence.

(j) Receipts of bulk skim milk from regulated city plants and then from regulated country plants

regulated country plants.
(i.) All other receipts or available quantities of fluid milk products, from whatever source derived.

§ 934.26 Assignment of Pool Handlers' Receipts to Class II Mills. Each pool handler's receipts of milk and milk products which are not assigned to Class I milk: pursuant to § 934.25 shall be assigned to Class II milk.

§ 934.27 Receipts from Other Federal Order Plants. Receipts of fluid milk products from plants regulated by other Federal orders shall be assigned as follows:

(a) Receipts of fluid milk products from regulated plants under the Boston order shall be assigned to the class m which they are classified under that order.

(b) Receipts of fluid milk products, other than cream, from regulated plants under the Worcester or Springfield

orders shall be assigned to Class I milk, unless the operators of the shipping plant and of the receiving plant file a joint written request to the market administrator for assignment to Class II milk of the fluid milk products so received. In such event, the fluid milk products shall be assigned to Class II milk up to the total Class II uses of fluid milk products, other than cream, at the receiving plant.

(c) Receipts from New York order pool plants shall be assigned to Class I milk if classified and priced in Classes I-A or I-B under the New York order.

REPORTS OF HANDLERS

§ 934.30 Pool handlers' reports of receipts and utilization. On or before the 8th day after the end of each month each pool handler shall, with respect to the milk products received by the handler during the month, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(a) The receipts of milk at each pool plant from producers, including the quantity, if any, received from his own production:

(b) The receipts of fluid milk produets at each plant from any other handler, assigned to classes pursuant to §§ 934.25, 934.26, and 934.27;

(c) The receipts of outside milk and

exempt milk at each plant; and

(d) The quantities from whatever source derived which were sold, distributed, or used, including sales to other handlers and dealers, classified pursuant to §§ 934.15, 934.16, and 934.17.

§ 934.31 Reports of nonpool handlers. Each nonpool handler shall file with the market administrator reports relating to his receipts and utilization of fluid milk products. The reports shall be made at the time and in the manner prescribed by the market administrator, except that any handler who receives outside milk during any month shall file the report on or before the 8th day after the end of the month.

§ 934.32 Reports regarding individual producers. (a) Within 20 days after a producer moves from one farm to another, starts or resumes deliveries to any of a handler's pool plants, or starts delivering his milk to the handler's plant by tank truck, the handler shall file with the market administrator a report stating the producer's name and post office address, the date on which the change took place, and the farm and plant locations involved. The report shall also state, if known, the plant to which the producer had been delivering prior to starting or resuming deliveries.

(b) Within 15 days after the 5th consecutive day on which a producer has failed to deliver to any of a handler's pool plants, the handler shall file with the market administrator a report stating the producer's name and post office address, the date on which the last delivery was made, and the farm and plant locations involved. The report shall also state, if known, the reason for the producer's failure to continue deliveries.

§ 934.33 Reports of payments to producers. Each pool handler shall submitto the market administrator, within 10 days after his request made not earlier than 20 days after the end of the month. his producer payroll for such month, which shall show for each producer.

(a) The daily and total pounds of milk delivered with the average butter-

fat test thereof; and

(b) The net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

§ 934.34 Maintenance of records, Each handler shall maintain detailed and summary records showing all receipts, movements, and disposition of milk and milk products during the month, and the quantities of milk and milk products on hand at the end of the month.

§ 934.35 Verification of reports. For the purpose of ascertaining the correctness of any report made to the market administrator as required by this part or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business. to:

(a) Verify the information contained in reports submitted in accordance with this part;

(b) Weigh, sample, and test milk and milk products; and

(c) Make such examination of records, operations, equipment, and facilities as the market administrator deems necessary for the purpose specified in this section.

§ 934.36 Retention of records. All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records per-tain: Provided, That if, within such. three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. The market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection there-

§ 934.37 Notices to producers. Each pool handler shall furnish each producer from whom he receives milk with information regarding the daily weight and composite butterfat test of the producer's milk, as follows:

(a) Within 3 days after each day on which he receives milk from the producer, the handler shall give the producer written notice of the daily quantity so received.

(b) Within 7 days after the end of any sampling period for which the composite butterfat test of the producer's milk was determined, the handler shall give the producer written notice of such composite test.

CLASS PRICES

§ 934.40 Class I price at city plants. The Class I price per hundredweight at city plants shall be the New England basic Class I price per hundredweight determined for each month pursuant to § 934.48 plus 52 cents.

§ 934.41 Class II price at city plants. The Class II price per hundredweight at city plants shall be the Class II price determined for each month pursuant to § 904.41 of the Boston order plus 5.8

§ 934.42 Country plant price differentials. In the case of receipts at country plants, the prices determined pursuant to §§ 934.40 and 934.41 shall be subject to differentials based upon the zone location of the plant at which the Class I milk or Class II milk was received. The zone location of each plant shall be based on the distance ascertained by the market administrator as the shortest distance from the plant to the City Hall in Lawrence, Massachusetts, over highways on which the highway departments of the governing States permit milk tank trucks to move, or on the railway mileage distance to Lawrence from the nearest railway shipping point for such plant, whichever is shorter. The applicable zone differentials shall be those set forth in the following table, as adjusted pursuant to § 934.43.

DIFFERENTIALS FOR DETERMINATION OF ZONE DIRECT

Λ	В	ø
Zone (miles)	Class I pr co differ- ontials (cents per hundred- weight)	Olass II price differ- entials (cents per hundred- weight)
Less than 40½	-17. 0 -41. 5 -42. 5 -43. 5 -44. 5 -45. 5 -45. 5 -47. 0 -48. 5 -52. 0 -52. 0 -60. 5 -61. 5 -61. 5 -62. 5 -62. 5	-2.0 -2.0 -3.0 -3.0 -3.0 -3.0 -4.5 -4.5 -4.5 -4.5 -4.6 -6.0 -7.0 -7.0 -7.0 -7.0 -7.0 -8.0 -8.0
271 to 280	-63, 5 -64, 5 -65, 5	8.0 8.0 8.0

§ 934.43 Automatic changes in zone price differentials and other price factors. In case the rail tariff for the transportation of milk or cream, as published in New England Joint Tariff M No. 7 and supplements thereto or revisions thereof. is increased or decreased, the zone price differentials set forth in the table in § 934.42 and the price factors specified

in §§ 934.40 and 934.41 shall be correspondingly increased or decreased. Such adjustments shall become effective in the first complete month in which the changes in rail tariffs apply. Adjustments pursuant to paragraphs (a) (b) and (c) of this section shall be made to the nearest one-half cent per hundredweight, and adjustments pursuant to paragraph (d) of this section shall be made to the nearest one-tenth cent per hundredweight.

(a) If the rail tariff for transporting milk in 40-quart cans in carlots of 200 or more cans is changed, the differentials set forth in column B of the table shall be adjusted to the extent of the change.

(b) If the rail tariff for transporting milk in carlots in tank cars for mileage distances of 201–210 miles is changed, the price factor of 52 cents specified in § 934.40 shall be adjusted to the extent of the change.

(c) If the rail tariff for transporting cream in 40-quart cans in carlots of 100-199 cans is changed, the differentials set forth in column C of the table shall be adjusted by the result obtained by dividing the tariff change by 9.05.

(d) If the rail tariff for transporting cream in 40-quart cans in carlots of 100-199 cans for mileage distances of 201-210 miles is changed, the price factor of 5.8 cents specified in § 943.41 shall be adjusted by the result obtained by multiplying the tariff change by 1.03 and then dividing by 9.05.

§ 934.44 Use of equivalent factors in formulas. If for any reason a price, index, or wage rate specified by this part for use in computing class prices and for other purposes is not reported or published in the manner described in this part, the market administrator shall use a price, index, or wage rate determined by the Secretary to be equivalent to or comparable with the factor which is specified.

§ 934.45 Announcement of class prices. The market administrator shall make public announcements of the class prices as follows:

(a) He shall announce the Class I price for each month on the 25th day of the preceding month, except that if such 25th day is a Sunday or legal holiday he shall announce the Class I price on the next succeeding work day.

(b) He shall announce the Class II price on or before the 5th day after the end of each month.

NEW ENGLAND BASIC PRICE FORMULA

§ 934.48 Computation of New England basic Class I price. The New England basic Class I price per hundred-weight of milk containing 3.7 percent butterfat shall be determined for each month pursuant to this section. The latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations, except that if the 25th day of the preceding month falls on a Sunday or legal holiday the latest figures available on the next succeeding work day shall be used.

(a) Compute the economic index as (follows:

(1) Divide by 1.143 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the years 1947–49 as the base period.

(2) Using the data on national and regional per capita income payments as published by the United States Department of Commerce, establish a "New England adjustment percentage" by computing the current percentage relationship of New England per capita income to the national per capita income. Multiply by the New England adjustment percentage the quarterly figure showing the current annual rate of per capita disposable personal income in the United States as released by the United States Department of Commerce or the Council of Economic Advisers to the President. Divide the result by 15.27 to determine an index of per capita disposable income in New England.

(3) Multiply by 20 the average price per 100 pounds paid by farmers in the New England region for all mixed dairy feed of less than 29 percent protein content as reported by the United States Department of Agriculture for the month and divide the result by 0.884 to determine the dairy ration index. Compute the average, weighted by the indicated factors, of the following farm wage rates reported for the New England region by the United States Department of Agriculture: Rate per month with board and room, 1, rate per month with house, 1; rate per week with board and room, 4.33; rate per week without board or room, 4.33; and the rate per day without board or room, 26. Divide the average wage rate so computed by 1.458 to determine the wage rate index. Multiply the dairy ration index by 0.6 and the wage rate index by 0.4 and combine the two results to determine the grain-labor cost ındex.

(4) Divide by 3 the sum of the wholesale price index, the index of per capita disposable income in New England, and the grain-labor cost index determined pursuant to this paragraph. The result shall be known as the economic index.

(b) Compute a supply-demand adjustment factor as follows:

(1) Combine into separate monthly totals the receipts from producers for Greater Boston, Merrimack Valley, Springfield, and Worcester and the Class I milk from producers for the same markets as announced by the respective market administrators in the statistical reports for such markets for the second and third months preceding the month for which the price is being computed.

(2) Divide the four-market total of Class I producer milk by the four-market total of receipts from producers for each of the two months for which computations were made pursuant to subparagraph (1) of this paragraph.

(3) Divide each of the percentages determined in subparagraph (2) of this paragraph into the following normal Class I percentage for the respective month, multiply each result by 100, and compute a simple average of the resulting percentages. The result shall be known as the percentage of normal supply.

	Normal
	Class I
Month:	percentage
January	76.9
February	73.9
March	65.3
April	57.7
May	51.6
June	50.7
July	61.6
August	70.1
September	
October	73.4
November	
December	

(4) The supply-demand adjustment factor shall be the figure in the following table opposite the bracket under the normal supply column within which the percentage computed pursuant to subparagraph (3) of this paragraph falls. If the percentage falls in an interval between brackets, the applicable bracket shall be that above the interval in which the percentage falls if the adjustment for the previous month was determined by a bracket above such interval, and shall be determined by the bracket below such interval if the adjustment for the previous month was determined by a bracket below such interval.

	Supply-demand	
Percentage of normal	adjustment	
supply:	factor	
91.5 and under	1.12	í
92 to 92.5	1.10	ì
93 to 93.5	1.03	ċ
94 to 94.5	1.03	į
95 to 96	1.C4	
97 to 93	1.02	ċ
93 to 101	1.60	ì
102 to 103	93	ì
104 to 105		j
106 to 107		
103 to 103	92	į
110 to 111	.90	ì
112 and over		;

(c) The seasonal adjustment factor shall be the factor listed below for the month for which the price is being computed.

	20000000
	adjustment
Month:	factor
January and February	1.C4
March	1.00
April	92
May and June	.83
July	
August	1.00
September	1.04
October, November, and D	
ber	1.03

(d) Compute a New England basic Class I price index by multiplying the economic index determined pursuant to paragraph (a) of this section by the supply-demand adjustment factor determined pursuant to paragraph (b) of this section and multiplying the result by the applicable seasonal adjustment factor pursuant to paragraph (c) of this section.

(e) The New England basic Class I price shall be as shown in the following table:

lew Engla	nd basic Class I price	
	times 00.0561:	Class I
	But less than	
£4.£3	85.10	\$ 4 .93
85.10	85.32	5.21
85.32	85.54	5.43
85.54	25.76	5.65
85.76	85.93	5.87
85.08	89.29	6.03
66.20	£9.42	6.31

If the New England basic Class I price index times \$0.0561 is less than \$4.88 or more than \$6.42, the New England basic Class I price shall be determined by extending the table at the indicated rate of extension.

(f) Notwithstanding the provisions of paragraphs (a) through (e) of this section, the New England basic Class I price for November or December of each year shall not be lower than such price for the immediately preceding month.

BLENDED PRICES TO PRODUCERS

§ 934.50 Computation of net value of milk used by each pool handler For each month, the market administrator shall compute in the following manner, the net value of milk which is sold, distributed, or used by each pool handler:

(a) From the handler's total Class I milk, subtract all receipts which have been assigned to Class I milk pursuant to § 934.25 (a) (b) (c) (g) and (j)

(b) From the handler's total Class II milk, subtract all receipts which have been assigned to Class II milk pursuant to § 934.26, except receipts of milk from producers:

(c) Multiply the remaining quantities of Class I milk and Class II milk by the prices applicable pursuant to §§ 934.40, 934.41, and 934.42:

(d) Add together the resulting value of each class:

(e) Add the total amount of the payment required from the pool handler pursuant to § 934.66; and

(f) Subtract the value obtained by multiplying the quantities assigned to Class I milk pursuant to § 934.25 (f), (i) and (k) by the price applicable pursuant to §§ 934.41 and 934.42.

(g) Subtract any amount which the handler is required to pay on such milk pursuant to § 904.65 (b) of the Boston

§ 934.51 Computation of the basic blended price. The market administrator shall compute the basic blended price per hundredweight of milk delivered during each month in the following manner

(a) Combine into one total the respective net values of milk computed pursuant to § 934.50 and the payments required pursuant to §§ 934.65 and 934.66 for each handler from whom the market administrator has received at his office, prior to the 11th day after the end of such month, the report for such month and the payments required pursuant to §§ 934.61 (b), 934.65, and 934.66 for the preceding month;

(b) Add the amount of unreserved cash on hand at the close of business on the 10th day after the end of the month from payments made to the market administrator by handlers pursuant to §§ 934.61, 934.62, 934.65, 934.66, and

934.67

(c) Deduct the amount of the plus differentials, and add the amount of the minus differentials, which are applicable pursuant to § 934.64.

(d) Divide by the total quantity of pool milk for which a value is determined pursuant to paragraph (a) of this section: and

(e) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining a cash balance in connection with the payments set forth in §§ 934.61 and 934.62. This result, which is the minimum blended price for milk containing 3.7 percent butterfat received from producers at city plants, shall be known as the basic blended price.

§ 934.52 Announcement of blended prices. On the 12th day after the end of each month the market administrator shall mail to all pool handlers and shall publicly announce:

(a) Such of these computations as do not disclose information confidential

pursuant to the act;

(b) The zone blended prices per hundredweight resulting from adjustment of the basic blended price by the differentials pursuant to § 934.64; and

(c) The names of the pool handlers, designating those whose milk is not included in the computations because of failure to make reports or payments pursuant to this part.

PAYMENTS FOR MILK

§ 934.60 Advance payments. On or before the 10th day after the end of each month, each pool handler shall make payment to producers for the approximate value of milk received during the first 15 days of such month. In no event shall such advance payment be at a rate less than the Class II price for such month. The provisions of this section shall not apply to any handler who, on or before the 17th day after the end of the month, makes final payment as required by § 934.61 (a)

§ 934.61 Final payments. Each pool handler shall make payment for the total value of milk received during such month as required to be computed pursuant to § 934.50, as follows:

(a) On or before the 25th day after the end of each month, to each producer at not less than the basic blended price per hundredweight, subject to the differentials provided in §§ 934.63 and 934.64, for the quantity of milk delivered by such producer; and

(b) To producers, through the market administrator, by paying to, on or before the 23d day after the end of each month, or receiving from the market administrator, on or before the 25th day after the end of each month, as the case may be, the amount by which the payments at the basic blended price adjusted by the plant and farm location differentials provided in § 934.64 are less than or exceed the value of milk as required to be computed for each such handler pursuant to § 934.50, as shown in a statement rendered by the market administrator on or before the 20th day after the end of such month.

§ 934.62 Adjustments of errors in payments. (a) Whenever verification by the market administrator of reports or payments of any handler discloses an error in payments made pursuant to §§ 934.61 (b) 934.65, and 934.66, the market administrator shall promptly issue to the handler a charge bill or a credit, as the case may be, for the amount

of the error. Adjustment charge bills issued during the period from the 16th day of the prior month through the 15th day of the current month shall be payable by the handler to the market administrator on or before the 23d day of the current month. Adjustment credits issued during such period shall be payable by the market administrator to the handler on or before the 25th day of the current month.

(b) Whenever verification by the market administrator of the payment to any producer for milk delivered to any handler discloses payment to such producer of an amount less than is required by § 934.61 (a) the handler shall make up such payment to the producer not later than the time of making final payment for the month in which such error is disclosed.

§ 934.63 Butterfat differential. Each handler shall, in making payments to each producer for milk received from him, add for each one-tenth of 1 percent of average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent of average butterfat content below 3.7 percent, the amount per hundredweight determined for the corresponding month pursuant to § 934.63 of the Boston order.

§ 934.64 Location differentials. The payments to be made to producers by handlers pursuant to § 934.61 (a) shall be subject to the Class I price differentials applicable pursuant to § 934.42, and to further differentials as follows:

(a) With respect to milk delivered by a producer whose farm is located more than 40 miles from the City Hall in Lawrence, but not more than 80 miles from the State House in Boston, there shall be added 23 cents per hundredweight, unless such addition gives a result greater than the Class I price pursuant to §§ 934.40 and 934.42 which is effective at the plant to which such milk is delivered, in which event there shall be added an amount which will give as a result such price.

(b) With respect to milk delivered by a producer whose farm is located not more than 40 miles from the City Hall in Lawrence, there shall be added 46 cents per hundredweight, unless such addition gives a result greater than the Class I price pursuant to §§ 934.40 and 934.42 which is effective at the plant to which such milk is delivered, in which event there shall be added an amount which will give as a result such price.

§ 934.65 Payments on outside milk. Within 23 days after the end of each month, handlers shall make payments to producers, through the market ad-

ministrator, as follows:

(a) Each buyer-handler or producerhandler, whose receipts of outside milk are in excess of his total use of Class II milk after deducting receipts of cream, shall make payment on such excess quantity at the difference between the Class I and Class II prices pursuant to §§ 934.40, 934.41, and 934.42, effective for the location or zone of the plant at which the handler received the outside milk.

(b) Each handler who operates an unregulated plant from which outside milk is disposed of to consumers in the marketing area without intermediate movement to another plant shall make payment on the quantity so disposed of. The payment shall be at the difference between the Class I and Class II prices pursuant to §§ 934.40, 934.41, and 934.42, effective for the location or zone of the handler's plant.

§ 934.66 Payments on Class I receipts from other Federal order plants. Within 23 days after the end of each month, each pool handler, buyer-handler, or producer-handler who received Class I milk from a New York, Boston, Worcester, or Springfield order regulated plant during the month shall make such payment to producers, through the market administrator, as results from the following computation:

(a) Adjust the price pursuant to §§ 934.40 and 934.42, effective for the location or zone of the plant from which the Class I milk was received, by the butterfat differential calculated pursuant to § 934.63.

(b) Adjust the zone Class I price applicable under the other Federal order (Class I-A or I-B in the case of a New York order plant) by the butterfat differential applicable under that order.

(c) If the adjusted Class I price calculated under paragraph (a) of this section exceeds the corresponding price calculated under paragraph (b) of this section, multiply the quantity of Class I receipts from the other Federal order plant by the difference in price.

§ 934.67 Adjustment of overdue accounts. Any balance due, pursuant to §§ 934.61, 934.62, 934.65, and 934.66, to or from the market administrator on the 10th day of any month, for which remittance has not been received in, or paid from, his office by the close of business on that day, shall be increased one-half of 1 percent effective the 11th day of such month.

§ 934.68 Statements to producers. In making the payments to producers prescribed by § 934.61 (a) each pool handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer, which shall show.

(a) The month and the identity of the handler and of the producer;

(b) The total pounds and average butterfat test of milk delivered by the producer;

(c) The minimum rate or rates at which payment to the producer is required under the provisions of § 934.61 (a)

(d) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(e) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under §§ 934.70 and 934.71, together with a description of the respective deductions; and

(f) The net amount of payment to the producer.

MARKETING SERVICES

§ 934.70 Marketing service deduction; nonmembers of an association of producers. In making payments to producers

pursuant to § 934.61 (a), each handler shall, with respect to all mill: delivered by each producer other than himself during each month, except as set forth in § 934.71, deduct 3 cents per hundredweight, or such lesser amount as the market administrator shall determine to be sufficient, and shall, on or before the 23d day after the end of each month, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator only in providing for market information to, and for verification of weights, samples. and tests of milk delivered by, such producers. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to the milk delivered by, such producers.

§ 934.71 Marketing scrvice deduction; members of an association of producers. In the case of producers who are members of an association of producers which is actually performing the services set forth in § 934.70 each handler shall, in lieu of the deductions specified in § 934.70, make such deductions from payments made pursuant to § 934.61 (a) as may be authorized by such producers and pay, on or before the 25th day after the end of each month, such deductions to such associations, accompanied by a statement showing the pounds of milk delivered by each producer from whom the deduction was made.

ADMINISTRATION EXPENSE

§ 934.72 Payment of administration expense. Within 23 days after the end of each month, each handler shall make payment to the market administrator of his pro rata share of the expense of administration of this part, based on the handler's receipts of fluid milk products, other than cream, during the month. The payment shall be at the rate of 4 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, on the handler's receipts of milk from producers, including receipts from his own production, and his receipts of outside mill:, except receipts of outside milk from other Federal order plants; and at the rate by which the rate applicable to milk received from producers exceeds the rate of assessment applicable under the other Federal order, on his receipts from other Federal order plants.

OBLIGATIONS

§ 934.73 Termination of obligations. The provisions of this section shall apply to any obligation under this part for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and vayable. Service of such notice shall be

complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or setoff by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8 (c) (15) (A) of the act, a petition claiming such money.

MISCELLANEOUS PROVISIONS

§ 934.30 Effective time. The provisions of this part, or any amendments to its provisions, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 934.81.

§ 934.01 Suspension or termination. The Secretary may suspend or terminate this part or any provision thereof whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This part shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 934.92 Continuing obligations. If, upon the suspension or termination of any or all provisions of this part, there

are any obligations arising under it, the final accrual or ascertainment of which requires further acts by any person, such further acts shall be performed notwithstanding such suspension or termination.

§ 934.83 Liquidation after suspension or termination. Upon the suspension or termination of any or all provisions of this part the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this part, over and above the amount necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 934.84 Agents. The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

Issued at Washington, D. C., this 22dday of December 1955, to be effective on and after January 1, 1956.

[SEAL]

EARL L. BUTZ, Assistant Secretary.

[F. R. Doc. 55-10398; Filed, Dec. 28, 1955; 8:51 a. m.]

[Docket No. AO-203-A5]

PART 996-MILK IN SPRINGFIELD, MASS., MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED. REGULATING HANDLING

Sec.

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AUTHORITY: §§ 996.0 to 996.84 issued under sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c.

§ 996.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of

said previous findings and determinations are hereby ratified and affirmed. except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Springfield, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area, as determined pursuant to section 2 of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk. and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons m the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

(b) Additional findings. It is necessary in the public interest to make this order amending the order, as amended, effective not later than January 1, 1956. Any delay beyond that date will seriously threaten the orderly marketing of mills m the Springfield, Massachusetts, marketing area.

The provisions of the said order are well know to handlers, the public hearing having been held on April 18 to May 5. 1955, the recommended decision having been issued on July 29, 1955 and the final decision having been issued on September 13, 1955. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effective January 1, 1956, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the Federal Register (See section 4 (c) Administrative Procedure Act, 5 U.S. C. 1001 et seq.).

(c) Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the Springfield, Massachusetts, marketing area, of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (July 1955) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Springfield, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order is hereby further amended to read as follows:

DEFINITIONS

§ 996.1 General definitions. (a) "Act" means Public Act No. 10, 73d Congress, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Springfield, Massachusetts, marketing area," also referred to as the "marketing area," means the territory included within the boundary lines of the following Massachusetts cities and stowns:

Agawam.
Chicopee.
Easthampton.
East Longmeadow.
Holyoke.
Longmeadow.
Ludlow.

Northampton.
South Hadley.
Springfield.
Westfield.
West Springfield.
Wilbraham.

- (c) "Order" used with the name of a marketing area other than the Springfield, Massachusetts, marketing area, means the order issued by the Secretary regulating the handling of milk in the other marketing area.
- (d) "Month" means a calendar month.
- § 996.2 Definitions of persons. (a) "Person" means any individual, partnership, corporation, association, or any other business unit.
- (b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and

perform the duties of the Secretary of Agriculture.

(c) "Dairy farmer" means any percon who delivers bulk milk of his own pro-

duction to a plant. (d) "Dairy farmer for other markets" means any dairy farmer whose milk is received by a handler at a pool plant during the months of March through September from a farm from which the handler, an affiliate of the handler, or any person who controls or is controlled by the handler, received nonpool mill: during any of the preceding months of October through February, except that the term shall not include any person who was a producer-handler during any of the preceding months of October through February, nor any dairy farmer from whom the handler received nonpool milk during such months of October through February only at a plant which met all the applicable requirements for pool plant status under this part in those months except that it was a pool plant under the Boston order.

(e) "Producer" means any dairy farmer whose milk is delivered from his farm to a pool plant, except a dairy farmer for other markets and a dairy farmer with respect to exempt mill: delivered. The term shall also include a dairy farmer with respect to his operation of a farm from which milk is ordinarily delivered to a handler's pool plant. but whose milk is diverted to another plant, if the handler, in filing his monthly report pursuant to § 996.30, reports the milk as receipts from a producer at such pool plant and as moved to the other plant. The term shall not apply to a dairy farmer who is a producer under the Boston, Merrimack Valley, or Worcester orders, with respect to milk diverted from the plant subject to the other order to which the dairy farmer ordinarily delivers.

(f) "Association of producers" means any cooperative marketing association which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 13, 1922, known as the "Capper-Volstead Act", and to be engaged in making collective sales or marketing of milk or its products for the producers thereof

for the producers thereof.

(g) "Handler" means any person who, in a given month, operates a pool plant, or any other plant from which fluid milk products are disposed of, directly or indirectly, in the marketing area.

directly, in the marketing area.
(h) "Pool handler" means any handler who expertes a real plant

dler who operates a pool plant.
(i) "Producer-handler" means any person who is both a handler and a dairy farmer, and who receives no milk other than exempt milk from other dairy farmers except producer-handlers,

(j) "Buyer-handler" means any handler who operates a bottling or processing plant from which more than 10 percent of his total receipts of fluid milk products, other than cream, are disposed of by him as Class I milk in the marketing area, and whose entire supply of fluid milk products is received from other handlers.

handlers.

(k) "Dealer" means any person who operates a plant at which he engages in the business of distributing fluid milk products, or manufacturing milk prod-

ucts, whether or not he disposes of any fluid mill: products in the marketing area.

(I) "Consumer" means any person to whom fluid mill: products are disposed of, except a dealer. The term "consumer" includes, but is not limited to, stores, restaurants, hotels, bakeries, hospitals and other institutions, candy manufacturers, soup manufacturers, livestock farmers, and similar persons who are not necessarily the ultimate uners. The term also includes any dealer in his capacity as the operator of any of these establishments, and in connection with any other use or disposition of fluid milk products not directly related to his operations as a dealer.

§ 996.3 Definitions of plants. (a) "Plant" means the land, buildings, surroundings, facilities and equipment, whether owned or operated by one or more percons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk products.

or milk products.
(b) "City plant" means any plant which is located within 10 miles of the marketing area.

(c) "Country plant" means any plant which is located beyond 10 miles of the marketing area.

(d) "Receiving plant" means any plant which is currently used for receiving, welghing or measuring, sampling, and cooling milk received there directly from dairy farmers' farms in cans, and for weshing and sterilizing such cans; or which is currently used for receiving milk directly from dairy farmers' farms by tank truck; and at which are currently maintained weight sheets or other records of the individual farmers' deliveries.

(e) "Pool plant" means any receiving plant which, in a given month, meets the conditions and requirements set forth in §§ 996.20, 996.21, and 996.22 for being considered a pool plant in that month.

(f) "Regulated plant" means any pool plant; any pool handler's plant which is located in the marketing area and from which Class I milk is disposed of in the marketing area; any plant operated by a handler in his capacity as a buyer-handler or producer-handler; and any city plant operated by an association of producers.

§ 996.4 Definitions of mill: and mill: products. (a) "Mill:" means the commodity received from a dairy farmer at a plant as cow's milk. The term also includes milk so received which later has its butterfat content adjusted to at least one-half of 1 percent but less than 10 percent; frozen milk; reconstituted milk; and 50 percent of the quantity, by weight, of "half and half."

(b) "Cream" means that portion of milk, containing not less than 16 percent of butterfat, which rises to the surface of milk on standing, or is separated from it by centrifugal force. The term also includes sour cream; frozen cream; milk and cream mixtures containing 16 percent or more of butterfat; and 50 percent of the quantity, by weight, of "half and half."

- (c) "Half and half" means any fluid milk product, except concentrated milk, the butterfat content of which has been adjusted to at least 10 percent but less than 16 percent.
- (d) "Skim milk" means that fluid product of milk which remains after the removal of cream, and which contains less than one-half of 1 percent of butterfat.
- (e) "Fluid milk products" means milk, flavored milk, cream, skim milk, flavored skim milk, cultured skim milk, buttermilk, and concentrated milk, either individually or collectively.
- (f) "Pool milk" means milk, including milk products derived therefrom, which a handler has received as milk from producers.
 - (g) "Outside milk" means:
- (1) All milk received from dairy farmers for other markets:
- (2) All fluid milk products, other than cream, received at a regulated plant from an unregulated plant, up to the total quantity of nonpool milk received at the unregulated plant; except exempt milk, receipts from New, York order pool plants which are assigned to Class I milk pursuant to § 996.27, and receipts from regulated plants under the Boston, Merrimack Valley, or Worcester orders;
- (3) All Class I milk, after subtracting receipts of Class I milk from regulated plants, which is disposed of to consumers in the marketing area from an unregulated plant, except a regulated plant under the Worcester order, without its intermediate movement to another plant.
- (h) "Concentrated milk" means the concentrated, unsterilized milk product, resembling plain condensed milk, which is disposed of to consumers for human consumption in fluid form.
- (i) "Exempt milk" means milk which is received at a regulated plant:
- (1) In bulk from an unregulated plant, or from the dairy farmer who produced it, for processing and bottling, and for which an equivalent quantity of packaged milk is returned to the dairy farmer or to the operator of the unregulated plant during the same month, or
- (2) In packaged form from an unregulated plant in return for an equivalent quantity of bulk milk moved from a regulated plant for processing and bottling during the same month.

MARKET ADMINISTRATOR

- § 996.10 Designation of market administrator The agency for the administration of this part shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.
- § 996.11 Powers of market administrator The market administrator shall have the following powers with respect to this part:
- (a) To administer its terms and provisions;
- (b) To make rules and regulations to effectuate its terms and provisions:

- (c) To receive, investigate, and report to the Secretary complaints of violations of its terms and provisions; and
- (d) To recommend to the Secretary amendments to it.
- § 996.12 Duties of market administrator The market administrator, in addition to the duties described in other sections of this part, shall:
- (a) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond conditioned upon the faithful performance of his duties, in an amount and with sureties thereon satisfactory to the Secretary.
- (b) Employ and fix the compensation of such persons as may be necessary to enable him to exercise his powers and perform his duties;
- (c) Pay, out of the funds provided by § 996.72, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;
- (d) Keep such books and records as will clearly reflect the transactions provided for in this part and surrender the same to his successor, or to such other person as the Secretary may designate;
- (e) Prepare and disseminate for the benefit of producers, consumers, and handlers, statistics and information concerning the operation of this part;
- (f) Promptly verify the information contained in the reports submitted by handlers; and
- (g) Give each of the producers delivering to a plant, as reported by the handler, prompt written notice of his actual or potential loss of producer status for the first month in which the plant's status has changed or is changing to that of a nonpool plant.

CLASSIFICATION

- § 996.15 Classes of utilization. All milk and milk products received by a handler shall be classified as Class I milk or Class II milk. Subject to §§ 996.16, 996.17, and 996.18, the classes of utilization shall be as follows:
 - (a) Class I milk shall be:
- (1) All fluid milk products sold, distributed, or disposed of as or in milk;
- (2) All fluid milk products sold, distributed, or disposed of for human consumption as or in flavored milk, skim milk, flavored or cultured skim milk, or buttermilk;
- (3) Ninety-eight percent, by weight, or the fluid milk products used to produce concentrated milk; and
- (4) All fluid milk products the utilization of which is not established as Class II milk.
- (b) Class II milk shall be all fluid milk products the utilization of which is established:
- (1) As being sold, distributed, or disposed of other than as specified in subparagraphs (1) (2) and (3) of paragraph (a) of this section; and
- (2) As plant shrinkage, not in excess of 2 percent of the volume handled.
- § 996.16 Classification of interplant movements of fluid milk products other than cream. Fluid milk products, ex-

- cept cream, moved to another plant from a pool plant or from the city plant of an association of producers shall be classified as follows:
- (a) If moved to another pool plant, they shall be classified in the class to which they are assigned at the plant of receipt pursuant to §§ 996.25 and 996.20.
- (b) If moved to a buyer-handler's plant, they shall be classified as Class I milk, unless Class II utilization is established.
- (c) If moved to a producer-handler's plant, or to any unregulated plant except a plant subject to the New York, Boston, Merrimack Valley, or Worcester orders, they shall be classified as Class I milk up to the total quantity of the same form of fluid milk products utilized as Class I milk at the plant to which they were moved.
- (d) If moved to a plant subject to the New York, Boston, Merrimack Valley, or Worcester orders, they shall be classified in the same class to which the receipt is assigned under such order, except that if moved to a plant subject to the New York order they shall be classified as Class I milk if classified in Classes I-A, I-B, or I-C under the New York order, and shall be classified as Class II milk if classified in any class other than I-A, I-B, or I-C under the New York order.
- (e) If moved to a regulated plant of a nonpool handler, except the city plant of an association of producers, or to any unregulated plant except a plant subject to, the New York, Boston, Merrimack Valley, or Worcester orders, and thence to another plant, they shall be classified by applying the provisions of paragraphs (a) through (d) of this section, whichever is applicable, except that if the other plant to which such movement is made is located outside of the New England States and New York State, they shall be classified as Class I milk.
- § 996.17 Classification of interplant movements of cream, and of milk products other than fluid milk products. Cream and milk products other than fluid milk products moved from the regulated plant of a pool handler to another plant shall be classified as Class II milk.
- § 996.18 Responsibility of handlers in establishing the classification of milk.
 (a) In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove that such milk should not be classified as Class I milk.
- (b) In establishing the classification of any pool milk received in the form of cream or milk products other than fluid milk products, or any nonpool milk or milk products received by a handler, the burden rests upon the receiving handler to account for such milk and milk products and to prove that such milk and milk products should not be classified as Class I milk.

DETERMINATION OF POOL PLANT STATUS

§ 996.20 Basic requirements for pool plant status. Each receiving plant shall be a pool plant during each month in

which it meets the applicable requirements contained in § 996.21 or § 996.22, together with the following basic requirements:

(a) A majority of the dairy farmers delivering milk to the plant hold certificates of registration issued pursuant to Chapter 94, sections 16C and 16G, of the Massachusetts General Laws.

(b) The handler operating the plant holds a license which has been issued by the milk inspector of a city or town in the marketing area, pursuant to Chapter 94, section 40, of the Massachusetts General Laws, or a majority of the dairy farmers delivering milk to the plant are approved by such an inspector as sources of supply for milk for sale in his municipality.

(c) The plant is operated neither as the plant of a producer-handler nor as a pool plant pursuant to the provisions of the Boston, Merrimack Valley, New

York, or Worcester orders.

(d) Each of a handler's plants which is a nonpool receiving plant during any of the months of October through February shall not be a pool plant in any of the following months of March through September in which it is operated by the same handler, an affiliate of the handler, or any person who controls or is controlled by the handler, unless its operation during October through February was in the handler's capacity as a producer-handler. This paragraph shall not apply to any plant which met all the applicable requirements for pool plant status under this order during each of such months of October through February, except that it was operated as a pool plant pursuant to the provisions of the Boston order.

§ 996.21 Additional requirements for city pool plants. Each city receiving plant shall be a pool plant in each month in which at least 10 percent of its total receipts of fluid milk products other than cream is disposed of in the marketing area as Class I milk, or in which it is operated by an association of producers. In determining whether a city plant has disposed of the required 10 percent of its receipts as Class I milk in the marketing area, the total quantity of fluid milk products, other than cream, moved from that plant to another city plant which is a regulated plant shall be considered as a disposition of Class I milk in the marketing area up to the quantity of Class I milk disposed of in the marketing area from the other plant.

§ 996.22 Additional requirements for country pool plants. (a) Each country receiving plant shall be a pool plant in any month in which more than 30 percent of its total receipts of fluid milk products, other than cream, is disposed of as Class I milk directly to consumers in the marketing area or is shipped as milk to city plants at which more than 50 percent of the total receipts of fluid milk products, other than cream, is disposed of as Class I milk.

(b) Any country plant which is a pool plant continuously in each of the months from October through February shall be a pool plant continuously for the following months of March through September, regardless of the quantity then

disposed of in the marketing area, if the handler's written request for pool plant status for such seven-months' period is received by the market administrator before March 1 of that year. Changes in the identity of the handler operating the plant shall not affect the application of this paragraph.

ASSIGNMENT OF RECEIPTS TO CLASSES

§ 996.25 Assignment of pool handlers' receipts to Class I milk. For the purpose of computing the net quantity of each pool handler's Class I milk for which a value is to be computed pursuant to § 996.50, his receipts of milk and milk products shall be assigned to Class I milk in the following sequence:

(a) Receipts of exempt milk.

(b) Receipts from regulated plants under other Federal orders, which are assigned to Class I mill: pursuant to § 996.27.

(c) Receipts of fluid milk products. other than cream and bulk skim mill:, from the regulated city plants of other handlers.

(d) Receipts of mill: from producers at a handler's country plant equal to the volume of fluid milk products disposed of directly from the country plant as Class I milk outside the marketing area without being received at a city plant.

(e) Receipts of milk directly from producers at the handler's city plant.

(f) Receipts of outside milk at the

handler's city plant.

(g) Receipts of fluid milk products, other than cream and bulk skim mills, from the country pool plants of other handlers, in the order of the nearness of the plants to Springfield.

(h) Receipts of milk from producers at the handler's country plants not previously assigned pursuant to paragraph (d) of this section in the order of the nearness of the plants to Springfield.

(i) Receipts of outside milk at the handler's country plants, in the order of the nearness of the plants to Springfield.

(j) Receipts of bulk skim milk from regulated city plants and then from regulated country plants.

(k) All other receipts or available quantities of fluid milk products, from whatever source derived.

§ 996.26 Assignment of pool handlers' receipts to Class II mills. Each pool handler's receipts of milk and milk products which are not assigned to Class I mill: pursuant to § 996.25 shall be assigned to Class II milk.

§ 996.27 Receipts from other Federal order plants. Receipts of fluid mill: products from plants regulated by other Federal orders shall be assigned as follows:

(a) Receipts of fluid milk products from regulated plants under the Boston order shall be assigned to the class in which they are classified under that order.

(b) Receipts of fluid milk products, other than cream, from regulated plants under the Merrimack Valley, or Worcester orders shall be assigned to Class I milk, unless the operators of the shipping plant and of the receiving plant file a joint written request to the mar-

het administrator for assignment to Class II mill: of the fluid mill: products co received. In such event, the fluid milk products shall be assigned to Class II milk up to the total Class II uses of fluid mill: products, other than cream, at the receiving plant.

(c) Receipts from New York order pool plants shall be assigned to Class I milk if classified and priced in Classes I-A or I-B under the New York order.

REFORTS OF HAMBLERS

§ 996.30 Pool handlers' reports of receipts and utilization. On or before the 8th day after the end of each month each pool handler shall, with respect to the milk products received by the handler during the month, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(a) The receipts of milk at each pool plant from producers, including the quantity, if any, received from his own

production:

(b) The receipts of fluid milk products at each plant from any other handler, assigned to classes pursuant to §§ 996.25 through 996.27;

(c) The receipts of outside milk and exempt milk at each plant; and

(d) The quantities from whatever source derived which were sold, distributed, or used, including sales to other handlers and dealers, classified pursuant to §§ 936.15 through 936.18.

§ 996.31 Reports of nonpool handlers. Each nonpool handler shall file with the market administrator reports relating to his receipts and utilization of fluid milk products. The reports shall be made at the time and in the manner prescribed by the market administrator, except that any handler who receives outside milk during any month shall file the report on or before the 8th day after the end of the month.

§ 996.32 Reports regarding individual producers. (a) Within 20 days after a producer moves from one farm to another, starts or resumes deliveries to any of a handler's pool plants, or starts delivering his milk to the handler's plant by tank truck, the handler shall file with the market administrator a report stating the producer's name and post office address, the date on which the change took place, and the farm and plant locations involved. The report shall also state, if known, the plant to which the producer had been delivering prior to starting or resuming deliveries.

(b) Within 15 days after the 5th consecutive day on which a producer has failed to deliver to any of a handler's pool plants, the handler shall file with the market administrator a report stating the producer's name and post office address, the date on which the last delivery was made, and the farm and plant locations involved. The report shall also state, if known, the reason for the producer's failure to continue deliveries.

§ 996.33 Reports of payments to producers. Each pool handler shall submit to the market administrator, within 10 days after his request made not earlier than 20 days after the end of the month,

his producer payroll for such month, which shall show for each producer:

- (a) The daily and total pounds of milk delivered with the average butterfat test thereof; and
- (b) The net amount of such handler's payments to such producer with the prices, deductions, and charges involved.
- § 996.34 Maintenance of records. Each handler shall maintain detailed and summary records showing all receipts, movements, and disposition of milk and milk products during the month, and the quantities of milk and milk products on hand at the end of the month.
- § 996.35 Verification of reports. For the purpose of ascertaining the correctness of any report made to the market administrator as required by this part or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business to:
- (a) Verify the information contained in reports submitted in accordance with this part;
- (b) Weigh, sample, and test milk and milk products; and
- (c) Make such examination of records, operations, equipment, and facilities as the market administrator deems necessary for the purpose specified in this section.
- § 996.36 Retention of records. All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: Provided, That if, within such threeyear period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. The market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.
- § 996.37 Notices to producers. Each pool handler shall furnish each producer from whom he receives milk with information regarding the daily weight and composite butterfat test of the producer's milk, as follows:
- (a) Within 3 days after each day on which he receives milk from the producer, the handler shall give the producer written notice of the daily quantity so received.
- (b) Within 7 days after the end of any sampling period for which the composite butterfat test of the producer's milk was determined, the handler shall give the producer written notice of such composite test.

MINIMUM CLASS PRICES

§ 996.40 Class I price at city plants. The Class I price per hundredweight at city plants shall be the New England basic Class I price per hundredweight determined for each month pursuant to § 996.48 plus 52 cents.

§ 996.41 Class II price at city plants. The Class II price per hundredweight at city plants shall be the Class II price determined for each month pursuant to Sec. 904.41 of the Boston order plus 5.8 cents.

§ 996.42 Country plant price differentials. In the case of receipts at country plants, the prices determined pursuant to §§ 996.40 and 996.41 shall be subject to differentials based upon the zone location of the plant at which the Class I milk or Class II milk was received. The zone location of each plant shall be based on the distance ascertained by the market administrator as the shortest distance from the plant to the City Hall in Springfield, Massachusetts, over highways on which the highway departments of the governing States permit milk tank trucks to move, or on the railway mileage distance to Springfield from the nearest railway shipping point for such plant, whichever is shorter. The applicable zone differentials shall be those set forth in the following table, as adjusted pursuant to § 996.43.

DIFFERENTIALS FOR DETERMINATION OF ZONE PRICES

A	В	σ
Zone (miles)	Class I Price differ- entials (cents per hundred- weight)	Class II Price differ- entials (cents per hundred- weight)
Less than 4036 41 to 50 51 to 60 61 to 70 71 to 80 81 to 90 91 to 100 101 to 110 111 to 120 121 to 130 131 to 140 141 to 150 151 to 160 151 to 180 151 to 190 171 to 180 181 to 190 191 to 200 201 to 210 221 to 220 221 to 230 231 to 240 241 to 250 251 to 260 251 to 260 251 to 270	-42.5 -44.5 -44.5 -45.5 -45.5 -45.6 -47.0 -47.0 -45.5 -45.6 -45.6 -52.0 -54.5 -56.0	None -2.0 -3.0 -3.0 -3.0 -3.0 -3.0 -4.5 -4.5 -4.5 -4.5 -6.0 -6.0 -7.0 -7.0 -7.0 -8.0
271 to 280	-61.5	-8.0 -8.0 -8.0

§ 996.43 Automatic changes in zone price differentials and other price factors. In case the rail tariff for the transportation of milk or cream, as published in New England Joint Tariff M No. 7 and supplements thereto or revisions thereof, is increased or decreased, the zone price differentials set forth in the table in § 996.42 and the price factors specified in § 996.40 and 996.41 shall be correspondingly increased or decreased. Such adjustments shall become effective in the first complete month in which the changes in rail tariffs apply. Adjustments pursuant to paragraphs (a) (b) and (c) of this section shall be made to

the nearest one-half cent per hundredweight, and adjustments pursuant to paragraph (d) of this section shall be made to the nearest one-tenth cent per hundredweight.

(a) If the rail tariff for transporting milk in 40-quart cans in carlots of 200 or more cans is changed, the differentials set forth in column B of the table shall be adjusted to the extent of the change.

(b) If the rail tariff for transporting milk in carlots in tank cars for mileage distances of 201-210 miles is changed, the price factor of 52 cents specified in \$996.40 shall be adjusted to the extent of the change.

(c) If the rail tariff for transporting cream in 40-quart cans in carlots of 100-199 cans is changed, the differentials set forth in column C of the table shall be adjusted by the result obtained by dividing the tariff change by 9.05.

(d) If the rail tariff for transporting cream in 40-quart cans in carlots of 100-199 cans for mileage distances of 201-210 miles is changed, the price factor of 5.8 cents specified in § 996.41 shall be adjusted by the result obtained by multiplying the tariff change by 1.03 and then dividing by 9.05.

§ 996.44 Use of equivalent factors in formulas. If for any reason a price, index, or wage rate specified by this order for use in computing class prices and for other purposes is not reported or published in the manner described in this order, the market administrator shall use a price, index, or wage rate determined by the Secretary to be equivalent to or comparable with the factor which is specified.

§ 996.45 Announcement of class prices. The market administrator shall make public announcements of the class prices as follows:

(a) He shall announce the Class I price for each month on the 25th day of the preceding month, except that if such 25th day is a Sunday or legal holiday he shall announce the Class I price on the next succeeding work day.

(b) He shall announce the Class II price on or before the 5th day after the end of each month.

NEW ENGLAND BASIC PRICE FORMULA

§ 996.48 Computation of New England basic Class I price. The New England basic Class I price per hundred-weight of milk containing 3.7 percent butterfat shall be determined for each month pursuant to this section. The latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations, except that if the 25th day of the preceding month falls on a Sunday or legal holiday the latest figures available on the next succeeding work day shall be used.

(a) Compute the economic index as follows:

(1) Divide by 1.143 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the years 1947–49 as the base period.

(2) Using the data on national and regional per capita income payments as published by the United States Depart-

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ment of Commerce, establish a "New England adjustment percentage" by computing the current percentage re-lationsmip of New England per capita income to the national per capita income. Multiply by the New England adjustment percentage the quarterly figure showing the current annual rate of per capita disposable personal income in the United States as released by the United States Department of Commerce or the Council of Economic Advisers to the President. Divide the result by 15.27 to determine an index of per capita disposable income in New England.

(3) Multiply by 20 the average price per 100 pounds paid by farmers in the New England region for all mixed dairy feed of less than 29 percent protein content as reported by the United States Department of Agriculture for the month and divide the result by 0.884 to determine the dairy ration index. Compute the average, weighted by the indicated factors, of the following farm wage rates reported for the New England region by the United States Department of Agriculture: Rate per month with board and room, 1, rate per month with house, 1, rate per week with board and room, 4.33; rate per week without board or room, 4.33; and the rate per day without board or room, 26. Divide the average wage rate so computed by 1.458 to determine the wage rate index. Multiply the dairy ration index by 0.6 and the wage rate index by 0.4 and combine the two results to determine the grain-labor cost

(4) Divide by 3 the sum of the wholesale price index, the index of per capita disposable income in New England, and the grain-labor cost index determined pursuant to this paragraph. The result shall be known as the economic index.

(b) Compute a supply-demand adjustment factor as follows:

(1) Combine into separate monthly totals the receipts from producers for Greater Boston, Merrimack Valley, Springfield, and Worcester and the Class I milk from producers for the same markets as announced by the respective market administrators in the statistical reports for such markets for the second and third months preceding the month for which the price is being computed.

(2) Divide the four-market total of Class I producer milk by the four-market total of receipts from producers for each of the two months for which computations were made pursuant to subpara-

graph (1) of this paragraph.

(3) Divide each of the percentages determined in subparagraph (2) of this paragraph into the following normal Class I percentage for the respective month, multiply each result by 100, and compute a simple average of the result-ing percentages. The result shall be known as the percentage of normal supply.

1407	11114
Cla	iss I
	ntage
January	76.9
February	73.9
March	65, 3
April	57.7
May	51.6
June	50.7
July	61.6

	Class I	
Month—Continued	percentage	
August	70. 2	
September	70.7	
October	73.4	
November	82.0	
December	77.8	

(4) The supply-demand adjustment factor shall be the figure in the following table opposite the bracket under the normal supply column within which the percentage computed pursuant to subparagraph (3) of this paragraph falls. If the percentage falls in an interval between brackets, the applicable bracket shall be that above the interval in which the percentage falls if the adjustment for the previous month was determined by a bracket above such interval, and shall be determined by the bracket below such interval if the adjustment for the previous month was determined by a bracket below such interval.

	ոսթիրը- <u>ս</u> ջուսու
Percentage of	cdjustment
normal supply:	factor
normal supply: 91.5 and under	1.1:
92 to 92.5	1.10
93 to 93.5	1.0
94 to 94.5	1.0
95 to 96	
97 to 98	
99 to 101	
102 to 103	
104 to 105	
106 to 107	
108 to 109	
110 to 111	
112 and over	
112 and Over	

(c) The seasonal adjustment factor shall be the factor listed below for the month for which the price is being computed.

	oner	
adjus	tmeni	
Month: fa	factor	
January and February	1.04	
March	1.00	
April	.92	
May and June	.88	
July	.90	
August	1.00	
September	1.04	
October, November and December.	1.08	

- (d) Compute a New England basic Class I price index by multiplying the economic index determined pursuant to paragraph (a) of this section by the supply-demand adjustment factor determined pursuant to paragraph (b) of this section and multiplying the result by the applicable seasonal adjustment factor pursuant to paragraph (c) of this section.
- (e) The New England basic Class I price shall be as shown in the following

sem Fucto	ng basic Class I price	
index	times &0.0561:	Class I
		price
£4.88	85.10	. 84. 83
\$5.10	\$5.32	
85.32	\$5.54	_ 5.43
85.54	85.76	
85.76	\$5.98	5.8
85.98	86.20	_ 6. GS
\$6.20	\$6.42	. 6.3

If the New England basic Class I price index times \$0.0561 is less than \$4.08 or more than \$6.42, the New England basic Class I price shall be determined by extending the table at the indicated rate of extension.

(f) Notwithstanding the provisions of paragraphs (a) through (e) of this section, the New England basic Class I price for November or December of each year shall not be lower than such price for the immediately preceding month.

BLENDED PRICES TO PRODUCERS

§ 996.50 Computation of net value of mills used by each pool handler. For each month, the market administrator shall compute in the following manner the net value of milk which is sold, distributed, or used by each pool handler:

(a) From the handler's total Class I milk, subtract all receipts which have been assigned to Class I milk pursuant to § 996.25 (a) (b), (c) (g) and (j)

(b) From the handler's total Class II milk, subtract all receipts which have been assigned to Class II milk pursuant to § 996.26, except receipts of milk from producers:

(c) Multiply the remaining quantities of Class I milk and Class II milk by the prices applicable pursuant to §§ 996.40. 996.41, and 996.42;

(d) Add together the resulting value of each class;

(e) Add the total amount of the payment required from the pool handler pursuant to § 996.66; and

(f) Subtract the value obtained by multiplying the quantities assigned to Class I milk pursuant to § 996.25 (f) (i), and (k) by the price applicable pursuant to §§ 996.41 and 996.42.

§ 996.51 Computation of the basic blended price. The market administrator shall compute the basic blended price per hundredweight of milk delivered during each month in the following manner:

(a) Combine into one total the respective net values of milk computed pursuant to \$ 996.50 and the payments required pursuant to \$\$ 996.65 and 996.66 for each handler from whom the market administrator has received at his office, prior to the 11th day after the end of such month, the report for such month and the payments required pursuant to §§ 996.61 (b), 996.65, and 996.66 for the preceding month;

(b) Add the amount of unreserved cash on hand at the close of business on the 10th day after the end of the month from payments made to the market administrator by handlers pursuant to §§ 996.61, 996.62, 996.65, 996.66, and

996.67;
(c) Deduct the amount of the plus differentials, and add the amount of the minus differentials, which are applicable

pursuant to \$996.64,
(d) Divide by the total quantity of pool milk for which a value is determined pursuant to paragraph (a) of this

section; and

(e) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining a cash balance in connection with the payments set forth in §§ 996.61 and 996.62. This result, which is the minimum blended price for milk containing 3.7 percent butterfat received from producers at city plants, shall be known as the basic blended price.

§ 996.52 Announcement of blended prices. On the 12th day after the end of each month the market administrator shall mail to all pool handlers and shall publicly announce:

(a) Such of these computations as do not disclose information confidential

pursuant to the act;

(b) The zone blended prices per hundredweight resulting from adjustment of the basic blended price by the differentials pursuant to § 996.64, and

(c) The names of the pool handlers, designating those whose milk is not included in the computations because of failure to make reports or payments pursuant to this part.

PAYMENTS FOR MILK

§ 996.60 Advance payments. On or before the 10th day after the end of each month, each pool handler shall make payment to producers for the approximate value of milk received during the first 15 days of such month. In no event shall such advance payment be at a rate less than the Class II price for such month. The provisions of this section shall not apply to any handler who, on or before the 17th day after the end of the month, makes final payment as required by § 996.61 (a)

§ 996.61 Final payments. Each pool handler shall make payment for the total value of milk received during such month as required to be computed pursuant to § 996.50, as follows:

(a) On or before the 25th day after the end of each month, to each producer at not less than the basic blended price per hundredweight, subject to the differentials provided in §§ 996.63 and 996.64, for the quantity of milk delivered by such producer; and

(b) To producers, through the market administrator, by paying to, on or before the 23d day after the end of each month, or receiving from the market administrator, on or before the 25th day after the end of each month, as the case may be, the amount by which the payments at the basic blended price adjusted by the plant and farm location differentials provided in § 996.64 are less than or exceed the value of milk as required to be computed for each such handler pursuant to § 996.50, as shown in a statement rendered by the market administrator on or before the 20th day after the end of such month.

§ 996.62 Adjustments of errors in payments. (a) Whenever verification by the market administrator of reports or payments of any handler discloses an error in payments made pursuant to §§ 996.61 (b) 996.65, and 996.66, the market administrator shall promptly issue to the handler a charge bill or a credit, as the case may be, for the amount of the error. Adjustment charge bills issued during the period from the 16th day of the prior month through the 15th day of the current month shall be payable by the handler to the market administrator on or before the 23d day of the current month. Adjustment credits issued during such period shall be payable by the market administrator to the handler on or before the 25th day of the current month.

(b) Whenever verification by the market administrator of the payment to any producer for milk delivered to any handler discloses payment to such producer of an amount less than is required by § 996.61 (a) the handler shall make up such payment to the producer not later than the time of making final payment for the month in which such error is disclosed.

§ 996.63 Butterfat differential. Each handler shall, in making payments to each producer for milk received from him, add for each one-tenth of 1 percent of average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent of average butterfat content below 3.7 percent, the amount per hundredweight determined for the corresponding month pursuant to § 904.63 of the Boston order.

§ 996.64 Location differentials. The payments to be made to producers by handlers pursuant to § 996.61 (a) shall be subject to the Class I price differentials applicable pursuant to § 996.42, and to further differentials as follows:

(a) With respect to milk delivered by a producer whose farm is located in any of the following cities or towns, there shall be added 23 cents per hundredweight, unless such addition gives a result greater than the Class I price pursuant to §§ 996.40 and 996.42 which is effective at the plant to which such milk is delivered, in which event there shall be added an amount which will give as a result such price:

MASSACHUSETTS

Becket. Sandisfield. Florida. Savoy. Hinsdale. Washington. Otis. Windsor. Peru.

NEW HAMPSHIRE

Chesterfield. Westmoreland.

VERMONT

Brattleboro. Newfane
Dover. Putney.
Dummerston. Wilmington.
Marlboro.

(b) With respect to milk delivered by a producer whose farm is located in Franklin, Hampshire, Hampden, or Worcester Counties in Massachusetts, or in any of the following cities or towns, there shall be added 46 cents per hundredweight, unless such addition gives a result greater than the Class I price pursuant to §§ 996.40 and 996.42 which is effective at the plant to which such milk is delivered, in which event there shall be added an amount which will give as a result such price:

CONNECTION

Ellington. Somers. Enfield. Stafford. Granby. Suffield.

NEW HAMPSHIRE

Hinsdale. Winchester.

VERMONT

Guilford. Vernon. Halifax. Whitingham. Readsboro.

§ 996.65 Payments on outside milk. Within 23 days after the end of each

month, handlers shall make payments to producers, through the market administrator, as follows:

(a) Each buyer-handler or producer-handler, whose receipts of outside milk are in excess of his total use of Class II milk after deducting receipts of cream, shall make payment on such excess quantity at the difference between the Class I and Class II prices pursuant to §§ 996.40, 996.41, and 996.42, effective for the location or zone of the plant at which the handler received the outside milk.

(b) Each handler who operates an unregulated plant from which outside milk is disposed of to consumers in the marketing area without intermediate movement to another plant shall make payment on the quantity so disposed of. The payment shall be at the difference between the Class I and Class II prices pursuant to §§ 996.40, 996.41, and 996.42, effective for the location or zone of the handler's plant.

§ 996.66 Payments on Class I receipts from other Federal order plants. Within 23 days after the end of each month, each pool handler, buyer-handler, or producer-handler who received Class I milk from a New York, Boston, Merrimack Valley, or Worcester order regulated plant during the month shall make such payment to producers, through the market administrator, as results from the following computation:

(a) Adjust the price pursuant to §§ 996.40 and 996.42, effective for the location or zone of the plant from which the Class I milk was received, by the butterfat differential calculated pursuant to § 996.63.

(b) Adjust the zone Class I price applicable under the other Federal order (Class I-A or I-B in the case of a New York order plant) by the butterfat differential applicable under that order.

(c) If the adjusted Class I price calculated under paragraph (a) of this section exceeds the corresponding price calculated under paragraph (b) of this section, multiply the quantity of Class I receipts from the other Federal order plant by the difference in price.

§ 996.67 Adjustment of overdue accounts. Any balance due, pursuant to §§ 996.61, 996.62, 996.65, and 996.66, to or from the market administrator on the 10th day of any month, for which remittance has not been received in, or paid from, his office by the close of business on that day, shall be increased one-half of 1 percent effective the 11th day of such month.

§ 996.68 Statements to producers. In making the payments to producers prescribed by § 996.61 (a), each pool handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer, which, shall show.

(a) The month and the identity of the handler and of the producer;

(b) The total pounds and average butterfat test of milk delivered by the producer;

(c) The minimum rate or rates at which payment to the producer is re-

quired under the provisions of § 996.61 (a)

(d) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(e) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under §§ 996.70 and 996.71, together with a description of the respective deductions; and

(f) The net amount of payment to the producer.

MARKETING SERVICES

§ 996.70 Marketing service deduction, nonmembers of an association of producers. In making payments to producers pursuant to § 996.61 (a) each handler shall, with respect to all milk delivered by each producer other than himself during each month, except as set forth m § 996.71, deduct 3 cents per hundredweight, or such lesser amount as the market administrator shall determine to be sufficient, and shall, on or before the 23d day after the end of each month, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator only in providing for market information to, and for verification of weights, samples, and tests of milk delivered by, such producers. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to the milk delivered by, such producers.

§ 996.71 Marketing service deduction; members of an association of producers. In the case of producers who are members of an association of producers which is actually performing the services set forth in § 996.70, each handler shall, in lieu of the deductions specified in § 996.70, make such deductions from payments made pursuant to § 996.61 (a) as may be authorized by such producers and pay, on or before the 25th day after the end of each month, such deductions to such associations, accompanied by a statement showing the pounds of milk delivered by each producer from whom the deduction was made.

ADMINISTRATION EXPENSE

§ 996.72 Payment of administration expense. Within 23 days after the end of each month, each handler shall make payment to the market administrator of his pro rata share of the expense of administration of this part, based on the handler's receipts of fluid milk products, other than cream, during the month. The payment shall be at the rate of 4 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, on the handler's receipts of milk from producers, including receipts from his own production, receipts of exempt milk processed at a regulated plant, and his receipts of outside milk, except receipts of outside milk from other Federal order plants; and at the rate by which the rate applicable to milk received from producers exceeds the rate of assessment applicable under the other Federal order, on his receipts from other Federal order plants.

OBLIGATIONS

§ 996.73 Termination of obligations. The provisions of this section shall apply to any obligation under this part for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this order to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to market administrator or his the representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or setoff by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section &c (15) (A) of the act, a petition claiming such money.

MISCELLANEOUS PROVISIONS

§ 996.80 Effective time. The provisions of this part, or any amendments to its provisions, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to 9 996.81.

§ 996.81 Suspension or termination. The Secretary may suspend or terminate this order or any provision thereof whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This part shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 996.82 Continuing obligations. If, upon the suspension or termination of any or all provisions of this part, there are any obligations arising under it, the final accrual or ascertainment of which requires further acts by any person, such further acts shall be performed notwithstanding such suspension or termination.

§ 996.83 Liquidation after suspension or termination. Upon the suspension or termination of any or all provisions of this part the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected, pursuant to the provisions of this part, over and above the amount necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 996.04 Agents. The Secretary may, by designation in writing, name any of-ficer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

Issued at Washington, D. C., this 22d day of December 1955, to be effective on and after January 1, 1956.

[SEAL]

EARL L. BUTZ. Assistant Secretary.

[F. R. Dac. 55-10397; Filed, Dec. 28, 1955; 8:51 a. m.]

[Docket No. AO-204-A5]

PART 999-MILL II WORCESTER, MASS., MARKETING AREA

ORDER ALIENDRIG ORDER, AS ALTERIDED, REGULATING HAMPLING

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AUTHORITY: §§ 999.0 to 999.84 issued under sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c.

§ 999.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Worcester, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act:

(2) The parity prices of milk produced for sale in the said marketing area, as determined pursuant to section 2 of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

(b) Additional findings. It is necessary in the public interest to make this order amending the order, as amended, effective not later than January 1, 1956. Any delay beyond that date will seriously threaten the orderly marketing of milk in the Worcester, Massachusetts, marketing area.

The provisions of the said order are, well known to handlers, the public hearing having been held on April 18 to May 5, 1955, the recommended decision having been issued on July 29, 1955 and the

final decision having been issued on September 13, 1955. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effective January 1, 1956, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (See sec. 4 (c) Administrative Procedure Act, 5 U.S. C. 1001 et seq.)

(c) Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the Worcester, Massachusetts, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (July 1955), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Worcester, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order is hereby further amended to read as follows:

DEFINITIONS

§ 999.1 General definitions. "Act" means Public Act No. 10, 73d Congress, as amended, and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Worcester, Massachusetts, marketing area," also referred to as the "marketing area", means the territory included within the boundary lines of the following Massachusetts cities and towns:

Auburn. Boylston. Clinton. Grafton. Holden. Leicester.

Paxton. Rutland. Shrowsbury. Spencer. West Boylston. Worcester.

- (c) "Order" used with the name of a marketing area other than the Worcester, Massachusetts, marketing area, means the order issued by the Secretary regulating the handling of milk in the other marketing area.
- (d) "Month" means a calendar month.
- § 999.2 Definitions of persons. (a) "Ferson" means any individual, partnership, corporation, association, or any other business unit.
- (b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture.
- (c) "Dairy farmer" means any person who delivers bulk milk of his own production to a plant.
- (d) "Dairy farmer for other markets" means any dairy farmer whose milk is received by a handler at a pool plant during the months of March through September from a farm from which the handler, an affiliate of the handler, or any person who controls or is controlled by the handler, received nonpool milk during any of the preceding months of October through February, except that the term shall not include any person who was a producer-handler during any of the preceding months of October through February, nor any dairy farmer from whom the handler received nonpool milk during such months of October through February only at a plant which met all the applicable requirements for pool plant status under this part in those months except that it was a pool plant under the Boston order.
- (e) "Producer" means any dairv farmer whose milk is delivered from his farm to a pool plant, except a darry farmer for other markets and a dairy farmer with respect to exempt milk delivered. The term shall also include a dairy farmer with respect to his operation of a farm from which milk is ordinarily delivered to a handler's pool plant, but whose milk is diverted to another plant, if the handler, in filing his monthly report pursuant to § 999.30, reports the milk as receipts from a producer at such pool plant and as moved to the other plant. The term shall not apply to a dairy farmer who is a producer under the Boston, Merrimack Valley, or Springfield orders, with respect to milk diverted from the plant subject to the other order to which the dairy farmer ordinarily delivers.
- (f) "Association of producers" means any cooperative marketing association which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, known as the "Capper-Volstead Act," and to be engaged in making collective sales or marketing of milk or its products for the producers thereof.
- (g) "Handler" means any person who, in a given month, operates a pool plant, or any other plant from which fluid mills products are disposed of, directly or indirectly, in the marketing area.
- (h) "Pool handler" means any handler who operates a pool plant.

- (i) "Producer-handler" means any person who is both a handler and a dairy farmer, and who receives no mill: other than exempt mill: from other dairy farmers except producer-handlers.
- (j) "Buyer-handler" means any handler who operates a bottling or process ing plant from which more than 10 percent of his total receipts of fluid milk products, other than cream, are disposed of by him as Class I milk in the marketing area, and whose entire supply of fluid milk products is received from other handlers.
- (k) "Dealer" means any person who operates a plant at which he engages in the business of distributing fluid mill: products, or manufacturing mill: products, whether or not he disposes of any fluid milk products in the marketing area.
- (1) "Consumer" means any person to whom fluid milk products are disposed of, except a dealer. The term "consumer" includes, but is not limited to, stores, restaurants, hotels, bakeries, hospitals and other institutions, candy manufacturers, soup manufacturers, live stock farmers, and similar persons who are not necessarily the ultimate users. The term also includes any dealer in his capacity as the operator of any of these establishments, and in connection with any other use or disposition of fluid milk products not directly related to his operations as a dealer.
- § 999.3 Definitions of plants. (a) "Plant" means the land, buildings, surroundings, facilities and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk or milk products.
- (b) "City plant" means any plant which is located within 10 miles of the marketing area.
- (c) "Country plant" means any plant which is located beyond 10 miles of the marketing area.
- (d) "Receiving plant" means any plant which is currently used for receiving, weighing or measuring, sampling, and cooling milk received there directly from dairy farmers' farms in cans, and for washing and sterilizing such cans; or which is currently used for receiving mill: directly from dairy farmers' farms by tank truck; and at which are currently maintained weight sheets or other records of the individual farmers' deliveries.
- (e) "Pool plant" means any receiving plant which, in a given month, meets the conditions and requirements set forth in §§ 999.20, 999.21, and 999.22 for being considered a pool plant in that month.
- (f) "Regulated plant" means any pool plant; any pool handler's plant which is located in the marketing area and from which Class I milk is disposed of in the marketing area; any plant operated by a handler in his capacity as a buyerhandler or producer-handler; and any city plant operated by an association of producers.
- § 999.4 Definitions of mills and mills products. (a) "Milk" means the commodity received from a dairy farmer at a plant as cow's milk. The term also

includes mill: so received which later has its butterfat content adjusted to at least one-half of 1 percent but less than 10 percent: frozen milk; reconstituted mill: and 50 percent of the quantity, by

weight, of "half and half"
(b) "Cream" means that portion of mill:, containing not less than 16 percent of butterfat, which rices to the surface of mill: on standing, or is separated from it by centrifugal force. The term also includes sour cream; frozen cream; milk and cream mixtures containing 16 percent or more of butterfat; and 50 percent of the quantity, by weight, of "half and half"

(c) "Half and half" means any fluid mill: product, except concentrated milk. the butterfat content of which has been adjusted to at least 10 percent but less than 16 percent.

(d) "Skim milk" means that fluid product of milk which remains after the removal of cream, and which contains less than one-half of 1 percent of butterfat.

(e) "Fluid milk products" means milk, flavored milk, cream, skim milk, flavored skim milk, cultured skim milk, buttermills, and concentrated mills, either individually or collectively.

(f) "Pool milk" means milk, including mill: products derived therefrom, which a handler has received as mill: from

producers.

(g) "Outside milk" means:

(1) All milk received from dairy farmers for other markets:

(2) All fluid mill: products, other than cream, received at a regulated plant from an unregulated plant, up to the total quantity of nonpool milk received at the unregulated plant; except exempt milk, receipts from New York order pool plants which are assigned to Class I milk pursuant to § 999.27, and receipts from regulated plants under the Boston, Merrimack Valley, or Springfield orders;

(3) All Class I milk, after subtracting receipts of Class I milk from regulated plants, which is disposed of to consumers in the marketing area from an unregulated plant, except a regulated plant under the Boston, Merrimack Valley, or Springfield orders, without its intermediate movement to another plant.
(h) "Concentrated milk" means the

concentrated, unsterilized milk product, resembling plain condensed mills, which is disposed of to consumers for human

consumption in fluid form.

(i) "Exempt mill:" means mill: which is received at a regulated plant: (1) In bulk from an unregulated plant, or from the dairy farmer who produced it, for processing and bottling, and for which an equivalent quantity of packaged milk is returned to the dairy farmer or to the operator of the unregulated plant during the same month; or

(2) In packaged form from an unregulated plant in return for an equivalent quantity of bull: mill: moved from a regulated plant for processing and bottling during the same month.

PLANET ADMINISTRATOR

§ 999.10 Designation of market administrator The agency for the administration of this part shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 999.11 Powers of market administrator The market administrator shall have the following powers with respect to this part:

(a) To administer its terms and provisions:

(b) To make rules and regulations to effectuate its terms and provisions;

(c) To receive, investigate, and report to the Secretary complaints of violations of its terms and provisions; and

(d) To recommend to the Secretary amendments to it.

§ 999.12 Duties of market administra-The market administrator, in addition to the duties described in other sections of this part, shall:

(a) Within 45 days following the date upon which he enters upon his duties. execute and deliver to the Secretary a bond conditioned upon the faithful performance of his duties, in an amount and with sureties thereon satisfactory to the Secretary.

(b) Employ and fix the compensation of such persons as may be necessary to enable him to exercise his powers and perform his duties;

(c) Pay, out of the funds provided by § 999.72, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(d) Keep such books and records as will clearly reflect the transactions provided for in this part and surrender the same to his successor, or to such other person as the Secretary may designate;

(e) Prepare and disseminate for the benefit of producers, consumers, and handlers, statistics and information concerning the operation of this part:

(f) Promptly verify the information contained in the reports submitted by

handlers: and

(g) Give each of the producers delivering to a plant as reported by the handler prompt written notice of his actual or potential loss of producer status for the first month in which the plant's status has changed or is changing to that of a nonpool plant.

CLASSIFICATION

§ 999.15 Classes of utilization. All milk and milk products received by a handler shall be classified as Class I milk or Class II milk. Subject to §§ 999.16, 999.17, and 999.18, the classes of utilization shall be as follows:

(a) Class I milk shall be:

(1) All fluid milk products sold, distributed, or disposed of as or in milk;

- (2) All fluid milk products sold, distributed, or disposed of for human consumption as or in flavored milk, skim milk, flavored or cultured skim milk, or buttermilk;
- (3) Ninety-eight percent, by weight, of the fluid milk products used to produce concentrated milk; and
- (4) All fluid milk products the utilization of which is not established as Class II milk.

(b) Class II milk shall be all fluid milk products the utilization of which is established:

(1) As being sold, distributed, or disposed of other than as specified in subparagraphs (1) (2) and (3) of paragraph (a) of this section: and

(2) As plant shrinkage, not in excess of 2 percent of the volume handled.

§ 999.16 Classification of interplant movements of fluid milk products other than cream. Fluid milk products, except cream, moved to another plant from a pool plant or from the city plant of an association of producers shall be classified as follows:

(a) If moved to another pool plant, they shall be classified in the class to which they are assigned at the plant of receipt pursuant to §§ 999.25 and 999.26.

(b) If moved to a buyer-handler's plant, they shall be classified as Class I milk, unless Class II utilization is established.

(c) If moved to a producer-handler's plant, or to any unregulated plant except a plant subject to the New York, Boston, Merrimack Valley, or Springfield orders. they shall be classified as Class I milk up to the total quantity of the same form of fluid milk products utilized as Class I milk at the plant to which they were moved.

(d) If moved to a plant subject to the New York, Boston, Merrimack Valley, or Springfield orders, they shall be classified in the same class to which the receipt is assigned under such order, except that if moved to a plant subject to the New York order they shall be classified as Class I milk if classified in Classes I-A, I-B. or I-C under the New York order. and shall be classified as Class II milk if classified in any class other than I-A, I-B, or I-C under the New York order.

(e) If moved to a regulated plant of a nonpool handler, except the city plant of an association of producers, or to any unregulated plant except a plant subject to the New York, Boston, Merrimack Valley, or Springfield orders, and thence to another plant, they shall be classified by applying the provisions of paragraphs (a) through (d) of this section, whichever is applicable, except that if the other plant to which such movement is made is located outside of the New England States and New York State, they shall be classified as Class I milk.

§ 999.17 Classification of interplant movements of cream, and of milk products other than fluid milk products. Cream and milk products other than fluid milk products moved from the regulated plant of a pool handler to another plant shall be classified as Class II milk.

§ 999.18 Responsibility of handlers in establishing the classification of milk. (a) In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove that such milk should not be classified as Class I milk.

(b) In establishing the classification of any pool milk received in the form of cream or milk products other than fluid milk products, or any nonpool milk or

milk products received by a handler, the burden rests upon the receiving handler to account for such milk and milk products and to prove that such milk and milk products should not be classified as Class I milk.

DETERMINATION OF POOL PLANT STATUS

§ 999.20 Basic requirements for pool plant status. Each receiving plant shall be a pool plant during each month in which it meets the applicable requirements contained in §§ 999.21 or 999.22, together with the following requirements:

(a) A majority of the dairy farmers delivering milk to the plant hold cortificates of registration issued pursuant to Chapter 94, Sections 16C and 16G. of the Massachusetts General Laws.

(b) The handler operating the plant holds a license which has been issued by the milk inspector of a city or town in the marketing area, pursuant to Chapter 94, section 40, of the Massachusetts General Laws, or a majority of the dairy farmers delivering milk to the plant are approved by such an inspector as sources of supply for milk for sale in his municipality.

(c) The plant is operated neither as the plant of a producer-handler nor as a pool plant pursuant to the provisions of the Boston, Merrimack Valley, New

York, or Springfield orders.

(d) Each of a handler's plants which is a nonpool receiving plant during any of the months of October through February shall not be a pool plant in any of the following months of March through September in which it is operated by the same handler, an affiliate of the handler, or any person who controls or is controlled by the handler, unless its operation during October through February was in the handler's capacity as a producer-handler. This paragraph shall not apply to any plant which met all the applicable requirements for pool plant status under this order during each of such months of October through February, except that it was operated as a pool plant pursuant to the provisions of the Boston order.

§ 999.21 Additional requirements for city pool plants. Each city receiving plant shall be a pool plant in each month in which at least 10 percent of its total receipts of fluid milk products other than cream is disposed of in the marketing area as Class I milk, or in which it is operated by an association of producers. In determining whether a city plant has disposed of the required 10 percent of its receipts as Class I milk in the marketing area, the total quantity of fluid milk products, other than cream, moved from that plant to another city plant which is a regulated plant shall be considered as a disposition of Class I milk in the marketing area up to the quantity of Class I milk disposed of in the marketing area from the other plant.

§ 999.22 Additional requirements for country pool plants. (a) Each country receiving plant shall be a pool plant in any month in which more than 50 percent of its total receipts of fluid milk products, other than cream, is disposed of as Class I milk directly to consumers in the marketing area or is shipped as milk to city plants at which more than 50 percent of the total receipts of fluid milk products, other than cream, is dis-

posed of as Class I milk.

(b) Any country plant which is a pool plant continuously in each of the months from October through February shall be a pool plant continuously for the following months of March through September, regardless of the quantity then disposed of in the marketing area. if the handler's written request for pool plant status for such seven-months' period is received by the market administrator before March 1 of that year. Changes in the identity of the handler operating the plant shall not affect the application of this paragraph.

ASSIGNMENT OF RECEIPTS TO CLASSES

§ 999.25 Assignment of pool handlers' receipts to Class I milk. For the purpose of computing the net quantity of each pool handler's Class I milk for which a value is to be computed pursuant to § 999.50, his receipts of milk and milk products shall be assigned to Class I milk in the following sequence:

(a) Receipts of exempt milk.

- (b) Receipts from regulated plants under other Federal orders, which are assigned to Class I milk pursuant to \$ 999.27.
- (c) Receipts of fluid milk products, other than cream and bulk skim milk, from the regulated city plants of other handlers.
- (d) Receipts of milk from producers at a handler's country plant equal to the volume of fluid milk products disposed of directly from the country plant as Class I milk outside the marketing area without being received at a city plant.
- (e) Receipts of milk directly from producers at the handler's city plant.

(f) Receipts of outside milk at the

handler's city plant.

(g) Receipts of fluid milk products, other than cream and bulk skim milk, from the country pool plants of other handlers, in the order of the nearness of the plants to Worcester.

(h) Receipts of milk from producers at the handler's country plants not previously assigned pursuant to paragraph (d) of this section in the order of the nearness of the plants to Worcester.

- (i) Receipts of outside milk at the handler's country plants, in the order of the nearness of the plants to Wor-
- (j) Receipts of bulk skim milk from regulated city plants and then from regulated country plants.
- (k) All other receipts or available quantities of fluid milk products, from whatever source derived.
- § 999.26 Assignment of pool handlers' receipts to Class II milk. Each pool handler's receipts of milk and milk products which are not assigned to Class I milk pursuant to § 999.25 shall be assigned to Class II milk.
- § 999.27 Receipts from other Federal order plants. Receipts of fluid milk products from plants regulated by other Federal orders shall be assigned as fol-

- (a) Receipts of fluid milk products from regulated plants under the Boston order shall be assigned to the class in which they are classified under that order.
- (b) Receipts of fluid milk products. other than cream, from regulated plants under the Merrimack Valley, or Springfield orders shall be assigned to Class I milk, unless the operators of the shipping plant and of the receiving plant file a joint written request to the market administrator for assignment to Class II milk of the fluid milk products so received. In such event, the fluid milks products shall be assigned to Class II milk up to the total Class II uses of fluid milk products, other than cream, at the receiving plant.
- (c) Receipts from New York order pool plants shall be assigned to Class I milk if classified and priced in Classes I-A or I-B under the New York order.

REPORTS OF HANDLERS

§ 999.30 Pool handlers' reports of recerpts and utilization. On or before the 8th day after the end of each month eachpool handler shall, with respect to the milk products received by the handler during the month, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(a) The receipts of milk at each pool plant from producers, including the quantity, if any, received from his own

production:

(b) The receipts of fluid milk products at each plant from any other handler, assigned to classes pursuant to §§ 999.25 through 999.27:

(c) The receipts of outside milk and exempt milk at each plant; and

- (d) The quantities from whatever source derived which were sold, distributed, or used, including sales to other handlers and dealers, classified pursuant to §§ 999.15 through 999.18.
- § 999.31 Reports of nonpool handlers. Each nonpool handler shall file with the market administrator reports relating to his receipts and utilization of fluid milk products. The reports shall be made at the time and in the manner prescribed by the market administrator. except that any handler who receives outside milk during any month shall file the report on or before the 8th day after the end of the month.
- § 999.32 Reports regarding individual producers. (a) Within 20 days after a producer moves from one farm to another, starts or resumes deliveries to any of a handler's pool plants, or starts delivering his milk to the handler's plant by tank truck, the handler shall file with the market administrator a report statmg the producer's name and post office address, the date on which the change took place, and the farm and plant locations involved. The report shall also state, if known, the plant to which the producer had been delivering prior to starting or resuming deliveries.
- (b) Within 15 days after the 5th consecutive day on which a producer has failed to deliver to any of a handler's pool plants, the handler shall file with the market administrator a report stat-

ing the producer's name and post office address, the date on which the last delivery was made, and the farm and plant locations involved. The report shall also state, if known, the reason for the producer's failure to continue deliveries.

§ 999.33 Reports of payments to producers. Each pool handler shall submit to the market administrator, within 10 days after his request made not earlier than 20 days after the end of the month, his producer payroll for such month. which shall show for each producer:

(a) The daily and total pounds of milk delivered with the average butterfat test

thereof; and
(b) The net amount of such handler's payments to such producer with the prices, deductions, and charges in-

- § 999.34 Maintenance of records Each handler shall maintain detailed and summary records showing all receipts, movements, and disposition of milk and milk products during the month, and the quantities of milk and mill: products on hand at the end of the month.
- § 999.35 Verification of reports. For the purpose of ascertaining the correctness of any report made to the market administrator as required by this part or for the purpose of obtaining the mformation required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual hours of business, to:

(a) Verify the information contained in reports submitted in accordance with

this order.

(b) Weigh, sample, and test milk and milk products; and

(c) Make such examination of records. operations, equipment, and facilities as the market administrator deems necessary for the purpose specified in this section.

§ 999.36 Retention of records. books and records required under this order to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: Provided, That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceed-ing under section &c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. The market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

§ 999.37 Notices to producers. Each pool handler shall furnish each producer from whom he receives milk with information regarding the daily weight and composite butterfat test of the producer's milk, as follows:

(a) Within 3 days after each day on which he receives milk from the producer, the handler shall give the producer written notice of the daily quantity so received.

(b) Within 3 days after each day on sampling period for which the composite butterfat test of the producer's milk was determined, the handler shall give the producer written notice of such composite test.

MINIMUM CLASS PRICES

§ 999.40 Class I price at city plants. The Class I price per hundredweight at city plants shall be the New England basic Class I price per hundredweight determined for each month pursuant to § 999.48 plus 52 cents.

§ 999.41 Class II price at city plants. The Class II price per hundredweight at city plants shall be the Class II price determined for each month pursuant to § 904.41 of the Boston order plus 5.8 cents.

§ 999.42 Country plant price differentials. In the case of receipts at country plants, the prices determined pursuant to §§ 999.40 and 999.41 shall be subject to differentials based upon the zone location of the plant at which the Class I milk or Class II milk was received. The zone location of each plant shall be based on the distance ascertained by the market administrator as the shortest distance from the plant to the City Hall in Worcester, Massachusetts, over highways on which the highway departments of the governing States permit milk tank trucks to move, or on the railway mileage distance to Worcester from the nearest railway shipping point for such plant, whichever is shorter. The applicable zone differentials shall be those set forth in the following table, as adjusted pursuant to § 999.43.

DIFFERENTIALS FOR DETERMINATION OF ZONE PRICES

DIFFERENTIALS FOR DETERMINATION OF ZONE PRICES		
A	В	σ
Zone (miles)	Class I price differentials (cents per hundred- weight)	Class II price differentials (cents per hundred- weight)
Less than 40½	-42.5 -43.0 -44.5 -45.5 -45.5 -47.0 -47.0 -45.5 -56.0 -56.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5 -66.5	None

§ 999.43 Automatic changes in zone price differentials and other price fac-

tors. In case the rail tariff for the transportation of milk or cream, as published in New England Joint Tariff M No. 7 and supplements thereto or revisions thereof, is increased or decreased, the zone price differentials set forth in the table in § 999.42 and the price factors specified in §§ 999.40 and 999.41 shall be correspondingly increased or decreased. Such adjustments shall become effective in the first complete month in which the changes in rail tariffs apply. Adjustments pursuant to paragraphs (a) (b) and (c) of this section shall be made to the nearest one-half cent per hundredweight, and adjustments pursuant to paragraph (d) of this section shall be made to the nearest one-tenth cent per hundredweight.

(a) If the rail tariff for transporting milk in 40-quart cans in carlots of 200 or more cans is changed, the differentials set forth in column B of the table shall be adjusted to the extent of the change.

(b) If the rail tariff for transporting milk in carlots in tank cars for mileage distances of 201-210 miles is changed, the price factor of 52 cents specified in \$999.40 shall be adjusted to the extent of the change.

(c) If the rail tariff for transporting cream in 40-quart cans in carlots of 100-199 cans is changed, the differentials set forth in column C of the table shall be adjusted by the result obtained by dividing the tariff change by 9.05.

(d) If the rail tariff for transporting cream in 40-quart cans in carlots of 100-199 cans for mileage distances of 201-210 miles is changed, the price factor of 5.8 cents specified in § 999.41 shall be adjusted by the result obtained by multiplying the tariff change by 1.03 and then dividing by 9.05.

§ 999.44 Use of equivalent factors in formulas. If for any reason a price, index, or wage rate specified by this order for use in computing class prices and for other purposes is not reported or published in the manner described in this order, the market administrator shall use a price, index, or wage rate determined by the Secretary to be equivalent to or comparable with the factor which is specified.

§ 999.45 Announcement of class prices. The market administrator shall make public announcements of the class prices as follows:

(a) He shall announce the Class I price for each month on the 25th day of the preceding month, except that if such 25th day is a Sunday or legal holiday he shall announce the Class I price on the next succeeding work day.

(b) He shall announce the Class II price on or before the 5th day after the end of each month.

NEW ENGLAND BASIC PRICE FORMULA

§ 999.48 Computation of New England basic Class I price. The New England basic Class I price per hundred-weight of milk containing 3.7 percent butterfat shall be determined for each month pursuant to this section. The latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations, ex-

cept that if the 25th day of the preceding month falls on a Sunday or legal holiday the latest figures available on the next succeeding work day shall be used.

(a) Compute the economic index as follows:

(1) Divide by 1.143 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the years 1947-49 as the base period.

(2) Using the data on national and regional per capita income payments as published by the United States Department of Commerce, establish a "New England adjustment percentage" by computing the current percentage relationship of New England per capita income to the national per capita income. Multiply by the New England adjustment percentage the quarterly figure showing the current annual rate of per capita disposable personal income in the United States as released by the United States Department of Commerce or the Council of Economic Advisers to the President. Divide the result by 15.27 to determine an index of per capita disposable income in New England.

(3) Multiply by 20 the average price per 100 pounds paid by farmers in the New England region for all mixed dairy feed of less than 29 percent protein content as reported by the United States Department of Agriculture for the month and divide the result by 0.884 to determine the dairy ration index. Compute the average, weighted by the indicated factors, of the following farm wage rates reported for the New England region by the United States Department of Agriculture: Rate per month with board and room, 1, rate per month with house, 1. rate per week with board and room, 4.33; rate per week without board or room. 4.33; and the rate per day without board or room, 26. Divide the average wage rate so computed by 1.458 to determine the wage rate index. Multiply the dairy ration index by 0.6 and the wage rate index by 0.4 and combine the two results to determine the grain-labor cost index.

(4) Divide by 3 the sum of the whole-sale price index, the index of per capita disposable income in New England, and the grain-labor cost index determined pursuant to this paragraph. The result shall be known as the economic index.

(b) Compute a supply-demand adjustment factor as follows:

(1) Combine into separate monthly totals the receipts from producers for Greater Boston, Merrimack Valley, Springfield, and Worcester and the Class I milk from producers for the same markets as announced by the respective market administrators in the statistical reports for such markets for the second and third months preceding the month for which the price is being computed.

(2) Divide the four-market total of Class I producer milk by the four-market total of receipts from producers for each of the two months for which computations were made pursuant to subparagraph (1) of this paragraph.

(3) Divide each of the percentages determined in subparagraph (2) of this paragraph into the following normal Class I percentage for the respective

month, multiply each result by 100, and compute a simple average of the resulting percentages. The result shall be known as the percentage of normal supply.

New England basic Cless I price index times \$\cdot 0.0501\$:

At least But less than \$\cdot 0.510\$:

\$\cdot 0.510\$:
\$\cdot 0.532\$:
\$\c

1401	44646
Cla	iss I
Month: perce	ntage
January	76.9
February	73.9
March	65.3
April	57.7
May	51.6
June	50.7
July	61.6
August	70.1
September	70.7
October	73.4
November	82.0
December	77.8

(4) The supply-demand adjustment factor shall be the figure in the following table opposite the bracket under the normal supply column within which the percentage computed pursuant to subparagraph (3) of this paragraph falls. If the percentage falls in an interval between brackets, the applicable bracket shall be that above the interval in which the percentage falls if the adjustment for the previous month was determined by a bracket above such interval, and shall be determined by the bracket below such interval if the adjustment for the previous month was determined by a bracket below such interval.

	Supply-demand	
Percentage of	adjustment	
normal supply:	factor	
91.5 and under	1.12	
92 to 92.5	1. 10	
93 to 93.5	1.08	
94 to 94.5	1.06	
95 to 96	1.04	
97 to 98	1.02	
99 to 101	1.00	
102 to 103		
104 to 105		
106 to 107		
108 to 109		
110 to 111		
112 and over		

(c) The seasonal adjustment factor shall be the factor listed below for the month for which the price is being computed.

Seas	onal
adjust	ment
	ctor
January and February	1.04
March	
April	.92
May and June	. 88
July	.96
August	1.00
September	1.04
October, November, and December_	1.03

- (d) Compute a New England basic Class I price index by multiplying the economic index determined pursuant to paragraph (a) of this section by the supply-demand adjustment factor determined pursuant to paragraph (b) of this section and multiplying the result by the applicable seasonal adjustment factor pursuant to paragraph (c) of this section.
- (e) The New England basic Class I price shall be as shown in the following table:

nem fingto	nd basic Class I price	
	times ¢0.0581:	Class 1
At least	But less than	price
\$4.88	\$5.10	02.93
\$5.10	\$5.32	5.21
\$5.32	85.54	5,43
\$5.54	85.76	5.GS
\$5.76	£5.93	5.87
¢5.98	CG.20	6.63
€6.20	\$6.42	

If the New England basic Class I price index times \$0.0561 is less than \$4.80 or more than \$6.42, the New England basic Class I price shall be determined by extending the table at the indicated rate of extension.

(f) Notwithstanding the provisions of paragraphs (a) through (e) of this section, the New England basic Class I price for November or December of each year shall not be lower than such price for the immediately preceding month.

BLENDED PRICES TO PRODUCERS

§ 999.50 Computation of net value of milk used by each pool handler. For each month, the market administrator shall compute in the following manner the net value of milk which is sold, distributed, or used by each pool handler: (a) From the handler's total Class I milk, subtract all receipts which have been assigned to Class I milk pursuant to § 999.25 (a), (b), (c), (g), and (j)

(b) From the handler's total Class II milk, subtract all receipts which have been assigned to Class II milk pursuant to § 999.26, except receipts of milk from producers:

(c) Multiply the remaining quantities of Class I milk and Class II milk by the prices applicable pursuant to §§ 999.40, 999.41, and 999.42;

(d) Add together the resulting value of each class;

(e) Add the total amount of the payment required from the pool handler pursuant to § 999.66; and

(f) Subtract the value obtained by multiplying the quantities assigned to Class I milk pursuant to § 999.25 (f), (i) and (k) by the price applicable pursuant to §§ 999.41 and 999.42.

§ 999.51 Computation of the basic blended price. The market administrator shall compute the basic blended price per hundredweight of milk delivered during each month in the following manner:

- (a) Combine into one total the respective net values of milk computed pursuant to § 999.50 and the payments required pursuant to §§ 999.65 and 999.66 for each handler from whom the market administrator has received at his office, prior to the 11th day after the end of such month, the report for such month and the payments required pursuant to \$§ 999.61 (b) 999.65, and 999.66 for the preceding month;
- (b) Add the amount of unreserved cash on hand at the close of business on the 10th day after the end of the month from payments made to the market administrator by handlers pursuant to \$\$ 999.61, 999.62, 999.65, 999.66, and 999.67.
- (c) Deduct the amount of the plus differentials, and add the amount to the minus differentials, which are applicable pursuant to § 999.64;

- (d) Divide by the total quantity of pool milk for which a value is determined pursuant to paragraph (a) of this section; and
- (e) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining a cash balance in connection with the payments set forth in §§ 993.61 and 999.62. This result, which is the minimum blended price for milk containing 3.7 percent butterfat received from producers at city plants, shall be known as the basic blended price.

§ 999.52 Announcement of blended prices. On the 12th day after the end of each month the market administrator shall mail to all pool handlers and shall publicly announce:

(a) Such of these computations as do not disclose information confidential pursuant to the act:

(b) The zone blended prices per hundredweight resulting from adjustment of the basic blended price by the differentials pursuant to § 999.64; and

(c) The names of the pool handlers, designating those whose milk is not included in the computations because of failure to make reports or payments pursuant to this part.

PAYLERITS FOR LITLE

§ 999.60 Advance payments. On or before the 10th day after the end of each month, each pool handler shall make payment to producers for the approximate value of milk received during the first 15 days of such month. In no event shall such advance payment be at a rate less than the Class II price for such month. The provisions of this section shall not apply to any handler who, on or before the 17th day after the end of the month, makes final payment as required by § 999.61 (a).

§ 999.61 Final payments. Each pool handler shall make payment for the total value of milk received during such month as required to be computed pursuant to § 999.50, as follows:

(a) On or before the 25th day after the end of each month, to each producer at not less than the basic blended price per hundredweight, subject to the differentials provided in §§ 999.63 and 999.64, for the quantity of milk delivered

by such producer; and

(b) To producers, through the market administrator, by paying to, on or before the 23d day after the end of each month, or receiving from the market administrator, on or before the 25th day after the end of each month, as the case may be, the amount by which the payments at the basic blended price adjusted by the plant and farm location differentials provided in § 999.64 are less than or exceed the value of milk as required to be computed for each such handler pursuant to § 999.50, as shown in a statement rendered by the market administrator on or before the 20th day after the end of such month.

§ 999.62 Adjustments of errors in payments. (a) Whenever verification by the market administrator of reports or payments of any handler discloses an error in payments made pursuant to §§ 999.61 (b), 999.65, and 999.66, the

market administrator shall promptly issue to the handler a charge bill or a credit, as the case may be, for the amount of the error. Adjustment charge bills issued during the period from the 16th day of the prior month through the 15th day of the current month shall be payable by the handler to the market administrator on or before the 23d day of the current month. Adjustment credits issued during such period shall be payable by the market administrator to the handler on or before the 25th day of the current month.

(b) Whenever verification by the market administrator of the payment to any producer for milk delivered to any handler discloses payment to such producer of an amount less than is required by § 999.61 (a), the handler shall make up such payment to the producer not later than the time of making final payment for the month in which such error is disclosed.

§ 999.63 Butterfat differential. Each handler shall, in making payments to each producer for milk received from him, add for each one-tenth of 1 percent of average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent of average butterfat content below 3.7 percent, the amount per hundredweight determined for the corresponding month pursuant to § 904.63 of the Boston order.

§ 999.64 Location differentials. The payments to be made to producers by handlers pursuant to § 999.61 (a) shall be subject to the Class I price differentials applicable pursuant to § 999.42, and to further differentials as follows: (a) With respect to milk delivered by a producer whose farm is located in Franklin, Hampshire, Hampden, Worcester, Middlesex, or Norfolk Counties in Massachusetts, or in the towns of Hinsdale, New Hampshire, or Vernon, Vermont, there shall be added 46 cents per hundredweight, unless such addition gives a result greater than the Class I price pursuant to §§ 999.40 and 999.42 which is effective at the plant to which such milk is delivered, in which event there shall be added an amount which will give as a result such price.

§ 999.65 Payments on outside milk. Within 23 days after the end of each month, handlers shall make payments to producers, through the market administrator, as follows:

(a) Each buyer-handler or producer-handler, whose receipts of outside milk are in excess of his total use of Class II milk after deducting receipts of cream, shall make payment on such excess quantity at the difference between the Class I and Class II prices pursuant to §§ 999.40, 999.41, and 999.42, effective for the location or zone of the plant at which the handler received the outside milk.

(b) Each handler who operates an unregulated plant from which outside milk is disposed of to consumers in the marketing area without intermediate movement to another plant shall make payment on the quantity so disposed of. The payment shall be at the difference between the Class I and Class II prices pursuant to §§ 999.40, 999.41, and 999.42.

effective for the location or zone of the handler's plant.

§ 999.66 Payments on Class I receipts from other Federal order plants. Within 23 days after the end of each month, each pool handler, buyer-handler, or producer-handler who received Class I milk from a New York, Boston, Merrimack Valley, or Springfield order regulated plant during the month shall make such payment to producers, through the market administrator, as results from the following computation:

(a) Adjust the price pursuant to §§ 999.40 and 999.42, effective for the location or zone of the plant from which the Class I milk was received, by the butterfat differential calculated pursuant to § 999.63.

(b) Adjust the zone Class I price applicable under the other Federal order (Class I-A or I-B in the case of a New York order plant) by the butterfat differential applicable under that order.

(c) If the adjusted Class I price calculated under paragraph (a) of this section exceeds the corresponding price calculated under paragraph (b) of this section, multiply the quantity of Class I receipts from the other Federal order plant by the difference in price.

§ 999.67 Adjustment of overdue accounts. Any balance due, pursuant to §§ 999.61, 999.62, 999.65, and 999.66, to or from the market administrator on the 10th day of any month, for which remittance has not been received in, or paid from, his office by the close of business on that day, shall be increased one-half of 1 percent effective the 11th day of such month.

§ 999.68 Statements to producers. In making the payments to producers prescribed by § 999.61 (a) each pool handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer, which shall show

(a) The month and the identity of the handler and of the producer;

(b) The total pounds and average butterfat test of milk delivered by the producer.

(c) The minimum rate or rates at which payment to the producer is required under the provisions of § 999.61 (a)

(d) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(e) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deductions claimed under §§ 999.70 and 999.71, together with a description of the respective deductions; and

(f) The net amount of payment to the producer.

MARKETING SERVICES

§ 999.70 Marketing service deduction, nonmembers of an association of producers. In making payments to producers pursuant to § 999.61 (a), each handler shall, with respect to all milk delivered by each producer other than himself during each month, except as set forth in § 999.71, deduct 3 cents per hundredweight, or such lesser amount as

the market administrator shall determine to be sufficient, and shall, on or before the 23d day after the end of each month, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator only in providing for market information to, and for verification of weights, samples, and tests of milk delivered by, such producers. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to the milk delivered by, such producers.

§ 999.71 Marketing service deduction, members of an association of producers. In the case of producers who are members of an association of producers which is actually performing the services set forth in § 999.70, each handler shall, in lieu of the deductions specified in § 999.70, make such deductions from payments made pursuant to § 999.61 (a) as may be authorized by such producers and pay, on or before the 25th day after the end of each month, such deductions to such associations, accompanied by a statement showing the pounds of milk delivered by each producer from whom the deduction was made.

ADMINISTRATION EXPENSE

§ 999.72 Payment of administration expense. Within 23 days after the end of each month, each handler shall make payment to the market administrator of his pro rata share of the expense of administration of this part, based on the handler's receipts of fluid milk products, other than cream, during the month. The payment shall be at the rate of 4 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, on the handler's receipts of milk from producers, including receipts from his own production, receipts of exempt milk processed at a regulated plant, and his receipts of outside milk, except receipts of outside milk from other Federal order plants; and at the rate by which the rate applicable to milk received from producers exceeds the rate of assessment applicable under the other Federal order, on his receipts from other Federal order plants.

OBLIGATIONS

§ 999.73 Termination of obligations. The provisions of this section shall apply to any obligation under this part for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this order to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or setoff by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

MISCELLANEOUS PROVISIONS

§ 999.80 Effective time. The provisions of this part, or any amendments to its provisions, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 999.81.

§ 999.81 Suspension or termination. The Secretary may suspend or terminate this part or any provision thereof whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This part shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 999.82 Continuing obligations. If, upon the suspension or termination of any or all provisions of this part, there are any obligations arising under it, the final accrual or ascertainment of which requires further acts by any person, such further acts shall be performed notwithstanding such suspension or termination.

§ 999.83 Liquidation after suspension or termination. Upon the suspension or termination of any or all provisions of this part the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possection or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this part, over and above the amount necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 999.84 Agents. The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

Issued at Washington, D. C., this 22d day of December 1955, to be effective on and after January 1, 1956.

[SEAL]

EARL L. BUTZ, Assistant Secretary.

[F. R. Doc. 55-10399; Filed, Dec. 28, 1955; 8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board
[Civil Air Regs. 5, Amdt. 18-5]

PART 18—MAINTENANCE, REPAIR, AND ALTERATION OF AIRFRAMES, POWER PLANTS, PROPELLERS, AND APPLIANCES

MAINTENANCE, REPAIR, AND ALTERATION PRIVILEGES AND LIMITATIONS FOR COM-MERCIAL OPERATORS UTILIZING AMERICAT OF MORE THAN 12,500 POUNDS MANIMUM CERTIFICATED TAKE-OFF WEIGHT

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 23d day of December 1955.

One of the provisions of currently effective Part 18 of the Civil Air Regulations permits an appropriately certificated air carrier to perform maintenance in accordance with a continuous maintenance and inspection program. Part 45 of the Civil Air Regulations requires certificated commercial operators in the conduct of their operations to comply with the provisions of Part 40 or Part 42. as appropriate, with certain minor exceptions. These parts contain the certification and operation rules applicable to scheduled and irregular air carriers, respectively. However, a certificated commercial operator is not an air carrier. Consequently, the provisions of Part 18 do not permit a certificated commercial operator to exercise any of the privileges of an appropriately certificated air carrier in the maintenance of its aircraft, notwithstanding the fact that it is subject to the same certification and operation rules.

This amendment will permit a certificated commercial operator to accomplish maintenance, repairs, and altera-

tions on its own aircraft as provided for in its continuous airworthiness maintenance and inspection program and its maintenance manual.

Interested persons have been afforded an opportunity to participate in the making of this amendment (20 F E. 5976) and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Fart 18 of the Civil Air Regulations (14 CFR Part 18, as amended) effective January 27, 1956.

1. By amending § 18.1 by adding new subparagraph (8a) to paragraph (a) to read as follows:

§ 18.1 Definitions. (a) * * *

(Ca) Certificated commercial operator A certificated commercial operator means any person holding a commercial operator certificate as required by the provisions of Part 45 of this subchapter.

2. By amending § 18.10 by adding a new paragraph (f) to read as follows:

§ 18.10 Persons authorized to perform maintenance, preventive maintenance, repairs, and alterations.² * * *

(f) A certificated commercial operator may perform maintenance, repairs, and alterations on its own aircraft or arcraft components, including propellers and appliances, as provided for in its continuous airworthiness maintenance and inspection program and its maintenance manual.

3. By amending § 18.11 by adding a new subparagraph (5) to paragraph (a) and a new subparagraph (6) to paragraph (b) to read as follows:

§ 18.11 Persons authorized to approve maintenance, repair, and alterations.

(a) Maintcnance, minor repairs, and minor alterations.

(5) A certificated commercial operator.

(b) Major repairs and major alterations.

(6) A certificated commercial operator, if the work has been performed on aircraft listed in the operating certificate of that operator and has been performed in accordance with a manual, specification, or other technical data approved by the Administrator.⁶

(Sec. 205, 52 Stat. 984, 49 U. S. C. 425. Interpret or apply secs. 601, 52 Stat. 1007, as amended, 49 U. S. C. 551)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN, Secretary.

[F. R. Doc. 55-10420; Filed, Dec. 23, 1955; 8:57 a. m.]

[Reg. SR-414]

PART 40—SCHEDULED INTERSTATE AIR CAR-RIER CERTIFICATION AND OPERATION RULES

SPECIAL CIVIL AIR REGULATION; REQUIRI-LIENTS FOR PILOT ROUTE QUALIFICATIONS IN SCHEDULED INTERSTATE AIR CARRIER OPERATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 23d day of December 1955. The Board has received a petition from American Airlines, Inc. (American), dated December 2, 1955, requesting permission to qualify its pilots into airports at Pittsburgh, Pennsylvania, and Houston, Texas, by means other than those presently required by § 40.303 (c) of Part 40 of the Civil Air Regulations. This section requires in part that each pilot in command make an entry into each regular, provisional, and refueling airport into which he is to be scheduled to fly.

On January 20, 1955, the Bureau of Safety Regulation published Civil Air Regulations Draft Release No. 55–3, "Scheduled Air Carrier Pilot Airport Qualification Without Prior Take-Off and Landing." This proposal was concerned with the over-all problems of pilot airport and route qualification. Considerable emphasis was placed on recent developments of motion picture panoramic views of airports and their environs which showed excellent promise of providing an effective means for insuring pilot airport qualification.

The objective of this draft release was described in the preamble in part as follows: "The Bureau is of the opinion that, with necessary safeguards, the regulations should be amended in a manner that will encourage further research and development of the visual training aids program by various commercial sources and at the same time provide more acceptable airport qualification rules for use in the meantime. Accordingly, it would seem appropriate to permit methods of airport qualification other than physical entry, provided that such alternative methods have the approval of the Administrator." Response to the draft release was generally favorable.

Following publication of the draft release, Pan American World Airways, Inc., (PAA) petitioned the Board to permit qualification of pilots in command on the Manila-Saigon-Singapore route by means other than those presently required by Part 41 of the Civil Air Regulations which applies to air carrier operations outside the continental limits of the United States. The PAA request was based, among other things, upon the consideration that PAA had developed a comprehensive training program utilizing color motion pictures showing clear daylight views of the complete physical layout of the airports, surrounding terrain, obstructions. approaches to all runways, restricted areas. and conspicuous reference points that would be of value to the pilot. The Board was also advised that certain procedural safeguards had been agreed upon by the Civil Aeronautics Administration. PAA, and the pilots concerned. The Board considered that PAA's program would provide a timely opportunity for evaluation of a means of airport and route qualification by industry and government alike and was of the opinion that a Special Civil Air Regulation was the appropriate vehicle for permitting the controlled introduction of the new techniques. Accordingly, the Board adopted Special Civil Air Regulation No. SR-413, effective September 23, 1955, to permit PAA, with the Administrator's

approval, to proceed with its plans and also to permit other Part 41 carriers to request of the Administrator similar approval should they be in a position to do so. Special Civil Air Regulation No. SR-413 terminates on September 23, 1956.

American bases its request upon considerations which are substantially the same as those which the Board found justified the issuance of SR-413. In lieu of actual entry. American proposes to familiarize its pilots with the layout, obstructions, approaches, and the relationship of approaches to obstructions at the Pittsburgh and Houston airports through the use of color slides taken from such positions in the air as will best display these features and their relationship to each other. Also, American advises that any pilot qualified by this method will be accompanied by a flying supervisor on his first scheduled flight. In addition, American states that the pilots concerned concur in this request. The Civil Aeronautics Administration has cooperated with American in the development of its proposed qualification program and is actively interested in exploring fully the possibilities offered by this medium of airport qualification.

The Board is of the opinion that American's program will provide an excellent opportunity for further evaluation of a pictorial means of airport and route qualification, and that it is appropriate to promulgate a Special Civil Air Regulation to permit the controlled introduction of the new techniques in air carrier operations conducted pursuant to Part 40 of the Civil Air Regulations. This will permit American, with the Administrator's approval, to proceed with its program and will also permit other carriers to request of the Administrator similar approval should they be in a position to do so. It should be clearly understood that this temporary regulation will not relieve any air carrier of the responsibility of showing that each pilot in command is thoroughly qualified for the routes and airports which he is scheduled to serve. Furthermore, nothing in this regulation should be construed to prejudice final action by the Board on the proposals presented in Draft Release No. 55-3.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. Since it imposes no additional burden on any person, this regulation may be made effective without prior notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective December 23, 1955.

Contrary provisions of Part 40 of the Civil Air Regulations notwithstanding, an air carrier conducting scheduled interstate operations may, subject to the approval of the Administrator, comply with the following provisions in lieu of the provisions of § 40.303:

(a) The air carrier shall be responsible that each pilot in command is thoroughly qualified for the route over which he is to fly aircraft in scheduled air transportation as

a pilot in command. An air carrier shall not utilize a pilot as pilot in command until he has been qualified for the route on which he is to serve at least in accordance with paragraphs (b), (c), and (d) of this regulation and the appropriate instructor or check pilot has so certified.

- (b) Each such pilot shall demonstrate adequate knowledge concerning the subjects listed below with respect to the route to be flown. Those portions of the demonstration pertaining to holding procedures and instrument approach procedures may be accomplished in a synthetic trainer which contains the radio equipment and instruments necessary to simulate the navigational and letdown procedures approved for use by the air carrier:
 - (1) Weather characteristics,
 - (2) Navigational facilities,
- (3) Communication procedures,
- (4) Type of en route terrain and obstruction hazards,
 - (5) Minimum safe flight levels,
 - (6) Position reporting points,
 - (7) Holding procedures,
- (8) Pertinent traffic control procedures, and-
- (9) Congested areas, obstructions, physical layout, and all instrument approach procedures for each regular, provisional, and refueling airport approved for the route.
 (c) Each such pilot shall make an entry as
- (c) Each such pilot shall make an entry as a member of the flight crew at each regular, provisional, and refueling airport into which he is scheduled to fly. Such entry shall include a landing and take-off. Unless impracticable, such entry shall be made under day VFR to permit the qualifying pilot tobserve the airport and surrounding terrain, including any obstructions to landing and take-off. The qualifying pilot shall occupy a seat in the pilot compartment and shall be accompanied by a pilot who is qualified at the airport: Provided, That such entry shall not be required if the air carrier shows that pilot airport qualification can be accomplished by other means approved by the Administrator.
- (d) On routes on which navigation must be accomplished by pilotage and on which flight is to be conducted at or below the lovel of the adjacent terrain which is within a horizontal distance of 25 miles on either side of the center line of the route to be flown, the pilot shall be familiarized with such route by not less than two one-way trips as pilot or additional member of the craw over the route under VFR weather conditions to permit the qualifying pilot to observe terrain along the route.

This regulation shall terminate September 23, 1956, unless sooner superseded or rescinded by the Board.

(Sec. 205, 52 Stat. 984, 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007, 1010, as amended, 49 U. S. C. 551, 554)

By the Civil Aeronautics Board.

[SEAL]

M. C. Mulligan, Secretary.

[F. R. Doc. 55-10419; Filed, Dec. 28, 1955; 8:57 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207-NAVIGATION REGULATIONS

SABINE RIVER, TEXAS

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1),

§ 207.184 is hereby prescribed to govern the use and navigation of waters in the vicinity of the berthing area of the Texas Group, Atlantic Reserve Fleet, at Orange, Texas, as follows:

§ 207.184 Sabine River at Orange, Texas; restricted area in vicinity of the Texas Group, Atlantic Reserve Fleet—
(a) The area. The berthing area of the Texas Group, Atlantic Reserve Fleet and the waters adjacent thereto from the mean high tide shore line to a line drawn parallel to, and 100 feet channelward from lines connecting the pier heads of Piers 1 through 12; and from a line drawn parallel to, and 200 feet upstream from, Pier 1 to a line drawn parallel to, and 100 feet downstream from, Pier 12.

(b) The regulations. (1) No vessel or other craft, except vessels of the United States Government or vessels duly authorized by the Commander, Texas Group, Atlantic Reserve Fleet, shall navigate, anchor, or moor in the restricted area.

(2) The regulations of this section shall be enforced by the Commander, Texas Group, Atlantic Reserve Fleet, and such agencies as he may designate.

[Regs., December 12, 1955, 800.211 (Sabine River, Tex.)—ENGWO] (Sec. 7, 40 Stat. 266; 33 U. S. C. 1)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 55-10364; Filed, Dec. 28, 1955; 8:45 a. m.]

TITLE 44—PUBLIC PROPERTY AND WORKS

Chapter V—Library of Congress

PART 501-PROCEDURES

MISCELLANEOUS AMENDMENTS

1. The following sections are revised to read as set forth below.

§ 501.6 Loans of library materials for the blind—(a) Definition of blind. In connection with the Library's program of service under the act of March 3, 1931, as amended, entitled "An Act to Provide Books for the Blind," the blind readers entitled to service under this act shall be defined as "Residents of the United States, including the several States, Territories, Insular Possessions, and the District of Columbia, whose visual acuity is 20/200 or less in the better eye with correcting glasses, or whose widest diameter of visual field subtends an angular distance no greater than twenty degrees." The degree of such blindness shall be certified by a duly licensed physician, optometrist, or ophthalmologist. The reading materials for the blind provided under the authority of the act cited above, including sound reproducers, may be loaned not only to readers who qualify under the above definition but also to hospitals, institutions, and schools for the use of such readers.

(b) Loans to residents. The Division for the Blind lends books in embossed characters and talking-book records to the blind under regulations and conditions of use established by the Librarian.

The area to which this service is extended is limited generally to the District of Columbia, Maryland, Virginia, North Carolina, and South Carolina. Inquiries by mail concerning this service should be addressed to: Chief, Division for the Blind, Library of Congress, Washington 25, D. C.

(c) Loans to residents temporarily domiciled abroad. In accordance with the definition given in paragraph (a) of this section, and the intent and purpose of the Act to Provide Books for the Blind Residents of the United States, its Territories, Insular Possessions, and the District of Columbia (2 U. S. C. 135a), the distributing libraries which have been designated by the Librarian of Congress to serve as local or regional centers for the circulation of such books (2 U.S.C. 135b) shall lend such books to blind residents of the United States, its Territories, etc., who may be temporarily domiciled outside the jurisdictions enumerated by the act. Inquiries for information relative to the prescribed procedures and regulations governing such loans should be to: Chief, Division for the Blind, Library of Congress, Washington 25, D. C.

(1) When requests for loans of the character authorized in this section are made of the Library of Congress, they shall be addressed to the Loan Division, Library of Congress, Washington 25, D. C., U. S. A.

(2) Talking book machine lending agencies are authorized to permit blind readers, residents of the United States, temporarily domiciled abroad, to take the talking book machines loaned to them when they go abroad under the same conditions as book loans.

§ 501.7 Service of scientific materials. Readers requesting reference and bibliographic assistance in science and technology, including aeronautics, may consult the staff on duty in the general reading rooms. Inquiries are referred when necessary to specialists in the Science Division. A current science reference collection is available to readers in the Science Room.

§ 501.8 Reference and bibliographic assistance. Reference and bibliographic services provided in response to requests from readers and requests received by telephone and by mail are governed by policies and regulations established by the Librarian of Congress. Readers requiring reference and bibliographic acsistance in the general collections and aid in the use of the card catalogs may request help from the staff on duty in the general reading rooms. Requests for such assistance in special collections are referred to the appropriate specialized divisions.

§ 501.9 Service of Hispanic materials. Readers requesting reference and bibliographic assistance on Hispanic materials may consult the staff on duty in the general reading rooms. Inquiries are referred when necessary to specialists in the Hispanic Foundation.

§ 501.11 Service of maps. Services to readers in the Map Reading Room are provided in accordance with prescribed conditions of use of the materials in the custody of the Map Division. Special

facilities are provided for use of maps. Investigators requiring materials in other collections of the Library for use with materials in the custody of the Map Division may requisition and use such materials in the Map Reading Room insofar and on such conditions as they are available for use therein.

§ 501.19 Card distribution. Printed catalog cards are supplied under the procedures specified in the latest edition of the Handbook of Card Distribution. supplemented by emendations in the bulletin, Cataloging Service, published by the Library of Congress, Processing Department. Cards may be ordered by author and title or by serial number. Card order slips required for this purpose are furnished to subscribers upon request. Printed catalog cards in book form are available by purchase of the publication, Library of Congress Catalog (A Cumulative List of Works Represented by Library of Congress Printed Cards)-Books: Authors and Books: Subjects.

2. The following sections are added to read as set forth below:

§ 501.20 Exhibit of Library materials. Certain materials in the Library's collections are available for loan to other institutions for purposes of display at free public exhibits, subject to special conditions fixed by the Library. This service is subject to limitations in terms of the character of the materials and the availability of staff to prepare materials for shipment.

§ 501.21 Service of materials in Slavic and East European languages. Readers requesting reference and bibliographic assistance on materials in Slavic and other East European languages may consult the staff on duty in the Slavic Room. Inquiries are referred when necessary to specialists in the Slavic and East European Division.

§ 501.22 Service of local history and genealogy materials. Readers requesting reference and bibliographic assistance on materials in local history and genealogy may consult the staff in the Local History and Genealogy Room.

(Sec. 1, 29 Stat. 544, 546; 2 U. S. C. 136)

L. Quincy Muniford, Librarian of Congress.

[P. R. Doc. 55-10430; Filed, Dec. 23, 1955; 8:59 a.m.]

TITLE 47—TELECOMMUNI-CATION

Chapter I—Federal Communications Commission

PART 3—RADIO BROADCAST SERVICES
REVISION OF REGULATIONS

In the matter of revision of Part 2, Radio Broadcast Services and The Standards of Good Engineering Practice Concerning Standard Broadcast Stations,

The Commission's Report and Order (FCC 55-1097) in the above-entitled matter, adopted 11-3-55, as published in the Fideral Rigister of December 9,

1955 (20 F R. 9041), is corrected in the following respects:

- 1. Section 3.111 (b) (4) (iv) previously deleted, was inadvertently included in this revision and is hereby deleted.
- 2. To correct a typographical error inthe last sentence of § 3.79, the phrase "actual sunrise and sunrise and sunset tables" is corrected to read "actual sunrise and sunset tables"

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Federal Communications Commission,

[SEAL] WM. P MASSING

Acting Secretary.

[F R. Doc. 55-10414; Filed, Dec. 28, 1955; 8:56 a. m.]

[Docket No. 9288; FCC 55-1260]

PART 15—INCIDENTAL AND RESTRICTED
RADIATION DEVICES

INTRODUCTION

In the matter of amendment of Part 15 of the Commission's rules governing Restricted Radiation Devices.

- 1. On April 13, 1949, the Commission issued a Notice of Proposed Rule Making setting forth general principles on the basis of which it proposed to revise its regulations relating to restricted radiation devices (Part 15 of its rules) All persons concerned were requested to comment on these principles. To facilitate the submission of comments, the proposal was divided into four separate parts by order dated July 29, 1949.
- 2. The Commission issued a Further Notice of Proposed Rule Making on April 15, 1954, which contained specific regulations based on the comments received in response to the earlier proposal, on discussions with various industry groups and on developments in the radio and electronic industries during that period. Comments on this Further Notice of Proposed Rule Making were received until January 3, 1955.
- 3. Basically, Part 15 is intended to regulate the use of equipment that radiates radio frequency energy and which is not presently regulated either by Part 18 dealing with Industrial Scientific and Medical (ISM) devices or by the rules dealing with licensed radio stations. The devices that are now or which will be, subject to Part 15 are many and range in diversity from various electric motors and appliances to carrier current systems. They include very short range transmitters, radio receivers and a wide array of electronic equipment that have become an integral part of our daily life.
- 4. With the exception of the very short range transmitters, Part 15 will regulate the unwanted radiations from electrical and electronic equipment. Unwanted radiation may be described as electromagnetic energy that is radiated within the radio spectrum but which is not useful for the purpose of the radiating device. It is well established that radio communications can produce satisfactory

results and be effective only so long as the desired signal is strong enough to override the interference that may be present at the receiver. Since any radiation, whether intended or unwanted, is capable of interfering with radio communication, the need for regulation of radiation, both intended and unwanted, is thus apparent. This area of regulation is becoming ever more important as the use of the radio spectrum for communications expands, through an increase in the number of stations as well as through the use of more sensitive receiving equipment, and as the number of non-radio devices producing radiation keeps growing.

- 5. Part 15 is based upon the rationale that if radiation can be kept within certain fixed limitations, a general assumption can be made that such operations will normally not cause interference to interstate communications or otherwise have interstate effects bringing such operations within the purview of those which must be licensed under section 301 of the Communications Act. Accordingly, it is the Commission's position that these operations, as long as they do not exceed certain radiation limitations and do not in particular situations cause actual interference, may lawfuly be carried on without a license.
- 6. Examination of the comments filed in the instant proceeding, as well as detailed consideration of the technical developments in the field, have convinced the Commission that the several types of devices covered by these rules require separate treatment on account of the practical problems relating to the suppression of radiation from these several types of devices in different parts of the spectrum, as well as the varying needs for interference-free reception by the licensed operations in the several bands. We have been constrained, therefore, to expand further the particularization of methods of treating different devices which was previously anticipated in Subpart B of the rules as proposed in the April 15, 1954 Further Notice of Proposed Rule Making.
- 7. In view of the necessity of putting these rules into effect at as early a date as possible, we have determined that finalization of rules for those devices upon which agreement can now be reached should not be made to await completion of other sections of the rules dealing with devices with respect to which substantial problems still remain unresolved. Thus, while it is presently contemplated that the rules covering Part 15 will be broken down into some eight substantive Sub-parts,1 this Report will confine itself to Incidental Radiation Devices and Radio Receivers. In addition to the Sub-parts relating to those devices, however, the rules as presently promulgated, will contain a

general introductory Sub-part A, to which will be attached, as a temporary expedient, the substance of the present Part 15 which will, of course, continue to govern those devices for which special rules have not yet been adopted.

GENERAL RULES

8. Subpart A of Part 15 contains rules applicable generally to the operation of all incidental and restricted radiation devices. Included are definitions of terms used, and provisions with respect to the operation of incidental and restricted radiation devices which do not conform to the radiation limits specified in Part 15. The latter category of devices may not be operated except in accordance with a license issued pursuant to section 301 of the Communications Act. With the exception of unique cases, a person seeking a license for a device which cannot operate in accordance with Part 15 will first be required to secure the establishment of a licensed service through appropriate amendment of the Commission's Rules.

INCIDENTAL RADIATION DEVICES

9. Concerning Incidental Radiation Devices, we are faced with the fact that there are an almost infinite variety of devices, as well as a lack of any detailed knowledge of what limitations would be necessary to eliminate the probability of harmful interference from these devices to interstate communications or what limitations are practical of achievement. This consideration renders any establishment of fixed standards at this time unfeasible. However, in view of the infrequent and intermittent nature of most of the interference actually observed as emanating from this source, we believe that the matter can and should now be handled through the adoption of a simple rule to the effect that the operation of incidental radiation devices must not cause harmful interference, and that, where they do cause harmful interference, the operators of the particular devices must promptly take steps to eliminate the interference.

* RADIO RECEIVERS

10. Subpart A of the proposed rules contained general provisions for the operation of restricted radiation devices. including radio receivers. The limitations to be imposed on these devices were expressed in terms of the maximum radiated power or the maximum field strength. The proposal contained two tables of field strength limitations; table one was to become effective at the time the rules were finalized and table two containing more stringent limitations was to become effective June 30, 1956. As proposed the power or field strength limitations would be applicable only to TV and frequency modulation broadcast receivers and land mobile receivers operating above 25 Mc until July 1, 1956, after which date, the limitations would be applicable to all receivers. Subpart B of the proposal would have required the certification of receivers operating above 25 Mc based on the determination that such receivers meet the proposed limitations.

¹These will cover:

^{1.} Incidental radiation devices.

^{2.} Radio receivers.

Carrier current communication systems.
 Aural broadcast distribution systems.

[.] Community Antenna television systems.

Community Antenna television system
 Low power communication devices.

^{7.} Test equipment.

^{8.} Detecting equipment.

11. In general, the rules which the Commission is now finalizing with respect to radio receivers are applicable only to receivers which operate (tune) between 30 and 890 Mc. Radio receivers operating below 30 Mc have been exempted from most of the requirements on the basis of the finding that the record in this proceeding does not support the need for specific radiation limits for these receivers. Similarly, receivers operating above 1000 Mc are exempt from most of the requirements since the record shows a lack of satisfactory standard measurement techniques and insufficient knowledge on which specific radiation limits could be based. However, it should be emphasized that all radio receivers, no matter on what frequency they may operate, are subject to the general requirement that they shall not cause harmful interference.

12. The attached rules retain the same field strength limitations as were contained in the proposal for radiation on frequencies between 25-1000 Mc. However, the rules we are now adopting do not contain specific field strength limitations for radiation on frequencies below 25 Mc and above 1000 Mc. Specific limitations for those frequency ranges have been deleted because the record indicates that there are presently no adequate standard methods for measuring receiver radiation in those bands. For the frequencies below 25 Mc the Commission has substituted a line voltage limitation for the field strength limitation since it has determined that there are practical standard methods for measuring line voltage limitations on frequencies below 25 Mc, and that this measurement will give an adequate indication of the capability of the receiver for causing interference on those frequencies. The rules do not establish any radiation limitations on frequencies above 1000 Mc, and receivers in that range will be subject only to the noninterference requirement.

13. The Commission has determined that the second more restrictive set of limitations which would have gone into effect at some specified later date should not be adopted at this time. On the basis of the present record, the Commission is unable to decide the precise radiation limitations which should or could be made applicable to radio receivers at some later date. Therefore, the Commission is adopting only one set of limitations at this time, and will continue to study the problem with a view to adopting more stringent limitations as the need arises.

14. The attached rules contain provisions designed to clarify the requirements for certification of radio receivers. In addition they provide that all receivers operating in the range 30-890 Mc manufactured after May 1, 1956, shall comply with all of the requirements applicable to receivers with certain exceptions. Compliance by television receivers with the radiation limits is deferred for a specified period. Compliance is also deferred for the pocket type of superregenerative receiver used in one-way signalling systems. However, the rules contain specific dates on which

these requirements must be met by television receivers and by the pocket receivers.

CONCLUSION

15. The Commission has determined that the public interest will be served by adopting the attached rules, which include general rules applicable to all restricted and incidental radiation devices as well as rules specifically governing incidental radiation devices and radio receivers. As indicated above, the Commission has found that the rules with respect to the other types of restricted radiation devices require further study. Further orders with respect to the other categories of devices will be issued by the Commission at such times as the problems involved are recolved.

16. Authority for the adoption of the attached rules is contained in sections 4 (i) 301 and 403 (f) of the Communications Act of 1934, as amended.

17. It is ordered, That effective February 1, 1956, Part 15 of the Commission's rules and regulations is amended to read as set forth below.

Adopted: December 21, 1955.

Released: December 23, 1955.

FEDERAL COLLIUNICATIONS COMMISSION.

[SEAL] WIL P. MASSING,
Acting Secretary.

Subpart A-General

Sec.
15.1 Basis of this part.
15.2 Scope of this part.
15.3 General condition of operation.
15.4 General definitions.
15.5 Equipment available for inspection.
15.6 Information required by the Commission.
15.7 General requirement for restricted radiation devices.

Subpart B—Incidental Radiation Devices
15.31 Operating requirements.

Subpart C-Radio Receiver

- 15.61 Scope of this subpart.15.62 Radiation interference limits.15.63 Measurement procedure.
- 15.63 Measurement procedure. 15.64 Certification of radio receivers.
- 15.65 Information to be filed with Commission.
- 15.66 Identification of certificated receivers.
 15.67 Operation of radio receivers aboard a ship.
- 15.68 Effective date of this subpart.
 15.69 Interference from a radio receiver.

AUTHORITY: §§ 15.1 to 15.03 icaued under sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 301, 463; 48 Stat. 1081, 66 Stat. 719; 47 U. S. C. 301, 403.

SUBPART A-GENERAL

§ 15.1 Basis of this part. Section 301 of the Communications Act of 1934, as amended, provides for the control by the Federal Government over all the channels of interstate and foreign radio communication and further provides, in part, that no person shall use or operate apparatus for the transmission of energy, communications or signals by radio when the effects of such operation extend beyond state lines or cause interference with the transmission or reception of energy, communications, or signals, of any interstate or foreign character by radio, except under and in accordance

with the Communications Act and a license granted under the provisions of that act. Restricted and incidental radiation devices emit radio frequency energy on frequencies within the radio spectrum and constitute a source of harmful interference to authorized radio communication services operating upon the channels of interstate and foreign communication unless precautions are taken which will prevent the creation of any substantial amount of such interference.

§ 15.2 Scope of this part. (a) This part contains rules that set forth the conditions under which the operation of incidental and restricted radiation devices is considered to fall outside the purview of section 301 of the Communcations Act which specifies when a station license is required as a condition

for lawful operation.

(b) No incidental or restricted radiation device which fails to conform to the provisions of this part, or which causes harmful interference, may be operated without a station license. Unless such devices may be operated in accordance with the provisions of some other part of this chapter (see particularly Part 19, Citizens Radio Service) persons wishing to operate such devices in a manner inconsistent with this part will be required to first secure an amendment of the Commission's rules to establish a licensed service providing for such operation and setting forth the technical and other limitations thereof; provided that in appropriate circumstances, when such a petition for rule making has been filed. the Commission may consider, prior to final action thereon, applications for Special Temporary Authorizations to operate stations on a developmental basis where it can be shown that such temporary operation would be in aid of a final determination as to whether the proposed rule should be adopted, and that such temporary operation would otherwise be in the public interest; and provided further that the Commission will, in exceptional situations, consider individual applications for licenses to operate incidental or restricted radiation devices, not conforming to the provisions of this part, where it can be shown that the proposed operation would be in the public interest, that it is for a unique type of station or for a type of operation which is incapable of establishment as a regular service, and that the proposed operation cannot feasibly be conducted under these rules.

§ 15.3 General condition of operation. Persons operating restricted or incidental radiation devices shall not be deemed to have any vested or recognizable right to the continued use of any given frequency, by virtue of prior registration or certification of equipment. Operation of these devices is subject to the conditions that no harmful interference is caused and that interference must be accepted that may be caused by other incidental or restricted radiation devices, industrial, scientific or medical equipment, or from any authorized radio service.

§ 15.4 General definitions—(a) Radio frequency energy. Electromagnetic en-

ergy at any frequency in the radio spectrum between 10 kc and 3,000,000 Mc.

(b) Harmful interference. Any radiation or induction which endangers the functioning of a radio navigation service or of, a safety service or obstructs or repeatedly interrupts a radio service operating in accordance with the regulations in Part 2 of this chapter.

(c) Incidental radiation device. device that radiates radio frequency energy during the course of its operation although the device is not intentionally designed to generate radio frequency

- (d) Restricted radiation device. device in which the generation of radio frequency energy is intentionally incorporated into the design and in which the radio frequency energy is conducted along wires or is radiated, exclusive of transmitters which require licensing under other parts of this chapter and exclusive of devices in which the radio frequency energy is used to produce physical, chemical or biological effects in materials and which are regulated under the provisions of Part 18 of this chapter.
- § 15.5 Equipment available for inspection. Any equipment or device subject to the provisions of this part together with any license, certificate, notice of registration or any technical data required to be kept on file by the operator of the device shall be made available for inspection by Commission. representatives upon reasonable request.
- § 15.6 Information required by the Commission. The owner or operator of any device subject to this part shall promptly furnish to the Commission or its representative such information as may be requested concerning the operation of the device including a copy of any field strength measurements made by or for the operator of the device.
- § 15.7 General requirement for restricted radiation devices. Unless regulated under some other subpart of this part, any apparatus which generates a radio frequency electromagnetic, field functionally utilizing a small part of such field in the operation of associated apparatus not physically connected thereto and at a distance not greater than $\frac{157,000}{F(kc.)}$ feet $\left(\text{equivalent to } \frac{\lambda}{2\pi}\right)$ need not be licensed provided:

(a) That such apparatus shall be operated with the minimum power possible to accomplish the desired purpose.

(b) That the best engineering principles shall be utilized in the generation of radio frequency currents so as to guard against interference to established radio services, particularly on the fundamental and harmonic frequencies.

(c) That in any event the total electromagnetic field produced at any point a distance of $\frac{157,000}{F(kc.)}$ feet (equivalent to

 $\left(\frac{\chi}{2\pi}\right)$ from the apparatus shall not exceed 15 microvolts per meter.

(d) That the apparatus shall conform to such engineering standards as may from time to time be promulgated by the Commission,

(c) That in the event harmful interference is caused, the operator of the apparatus shall promptly take steps to eliminate the harmful interference.

SUBPART B-INCIDENTAL RADIATION DEVICES

§ 15.31 Operating requirements. An incidental radiation device shall be operated so that the radio frequency energy that is radiated does not cause harmful interference. In the event that harmful interference is caused, the operator of the device shall promptly take steps to eliminate the harmful interference.

SUBPART C-RADIO RECEIVERS

§ 15.61 Scope of this subpart. Radio receivers come within the scope of this subpart insofar as they are restricted radiation devices and generate and radiate radio frequency energy. Typically, these rules apply to superheterodyne receivers in which the oscillator may produce harmful interference. As another example, these rules also regulate television broadcast receivers with respect to the radio frequency energy which is generated by the horizontal sweep circuits and which may cause interference.

§ 15.62 Radiation interference limits. The radiation from all radio receivers that operate (tune) in the range 30 to 890 Mc, including frequency modulation broadcast receivers and television broadcast receivers, manufactured after the effective date of this subpart shall not exceed the following field strength limits at a distance of 100 feet or more from the receiver:

Frequency of radiation (Mc)	Field strength (uv/m)
0.45 up to and including 25 Over 25 up to and including 70 _ Over 70 up to and including 130_ 130-174	See Note 1. *32. 50. 50-150 flinear interpola tion).
174-260 260-470	150. 150-500 (linear interpo- lation.
470-1000	500.

Note 1. Pending the development of suitable measurement techniques for measuring the actual radiation in this band the interference capabilities of a receiver in this band will be determined by the measurement of radio frequency voltage between each power line and ground at the power terminals of the receiver. The voltage so measured shall not exceed 100 uv at any frequency between 450 kc and 25 Mc inclusive.

NOTE 2: The Commission will review this table from time to time with a view to reducing the radiation limits as the radio art develops.

NOTE 3: See also § 15.69.

§ 15.63 Measurement procedure. (a) Any measurement procedure acceptable to the Commission may be used to show compliance with the requirements of this subpart. A detailed description of the proposed measurement procedure, including a list of the test equipment to be used, shall be submitted to the Commission when requesting a determination regarding the acceptability of the proposed measurement procedure.

(b) The following methods of measurement are considered acceptable procedures for certification of receivers pursuant to § 15.64:

(1) Institute of Radio Engineers Standard 51 IRE 17S1 for radiation measurements.

(2) Institute of Radio Engineers Standard 54 IRE 17.S1 for powerline interference measurements for television broadcast receivers, when the standard is modified by substituting a line stabilization network having the electrical constants described in MIL-I-16910A, "Military Specification For Interference Measurement" available from the Commanding Officer, Naval Supply Depot, Scotia 2, New York.

(c) In the case of measurements in the field, radiation in excess of 15 uv/m at any frequency between 450 kc and 25 Mc at the border of the property and more than 15 feet from any power line crossing this border under the control and exclusive use of the person operating or authorizing the operation of the receiver will be considered an indication of noncompliance with the radiation requirements of this subpart.

§ 15.64 Certification of radio receivers. (a) No radio receiver manufactured after the effective dates of this subpart that operates in the range 30 to 890 Mc, including frequency modulation broadcast receivers and television broadcast receivers, shall be operated without a station license unless it has been certificated to demonstrate compliance with the radiation interference limits in this subpart.

(b) The owner or operator need not certificate his own receiver, if it has been certificated by the manufacturer or the

distributor.

(c) Certification made by a manufacturer or the distributor shall be based on tests made on receivers actually produced for sale. Tests shall be performed on a sufficient number of production units to assure that all production units comply with the radiation limitations of this subpart.

(d) The certificate may be executed by an engineer skilled in making and interpreting field strength measurements.

(e) The certificate shall contain the following information:

(1) Name of manufacturer or distributor of receiver,

- (2) Model number,(3) Brief description of receiver, including tuning range, type of circuit, purpose for which used (as broadcast. aircraft, etc.)
- (4) Brief statement of the measurement procedure used,
- (5) Date the measurements were made,
- (6) A summary of the data obtained, (7) A statement certifying that on the basis of measurements made, the radio receiver is capable of complying with the requirements of this part under normal operation with the usual maintenance,
- (8) The name and address of the certifying engineer, and name and address of his employer, if any, and

(9) Date of the certificate.(f) The certificate shall be retained by the owner, manufacturer or the distributor for a period of five years, and shall be made available upon reasonable request to an authorized Commission representative, or photostat furnished by mail. (See § 15.65 for filing requirement with FCC)

§ 15.65 Information to be filed with Commission. (a) Each manufacturer, distributor or other certifying agency that issues certifications pursuant to this subpart shall file with the Commission a description of its measurement facilities used for certification.

(b) A copy of each certificate prepared by a manufacturer, distributor or certifying agency shall be filed with the Commission at the time the certificate is prepared.

§ 15.66 Identification of certificated receivers. Each certificated receiver shall be identified by a distinctive seal or label, which may be a part of the name plate and which shall state that the receiver has been certificated for compliance with the requirements of this subpart. The seal or label shall be permanently attached to the receiver and shall be readily visible for inspection by prospective purchasers.

§ 15.67 Operation of radio receivers aboard a ship. In addition to meeting the requirements of this part, a radio receiver operated aboard a ship shall also meet the requirements of Part 8 of this chapter.

§ 15.68 Effective date of this subpart. (a) Except as provided in paragraphs (b), (c) and (d) of this section, all radio receivers that operate (tune) in the range 30 to 890 Mc, including frequency modulation broadcast receivers and television broadcast receivers, manufactured after May 1, 1956, shall comply with the requirements of this subpart.

(b) The radiation interference limits above 260 Mc and the certification requirements with respect thereto shall be met by all new models of UHF television broadcast receiver chassis placed in production after December 31, 1956, and by

all UHF television broadcast receivers manufactured after June 30, 1957.

(c) The power line interference limit and the certification requirement with respect thereto shall be met by all new models of television broadcast receiver chassis placed in production after June 30, 1956, and by all television broadcast receivers manufactured after December 31, 1956.

(d) The radiation interference limits and the certification requirement with respect thereto shall be met by all pocket type superregenerative receivers used in the one-way signalling services as defined in Fart 6 of this chapter which are manufactured after December 31, 1956.

§ 15.69 Interference from a radio re-The operator of a radio receiver, ceiver regardless of tuning range, date of manufacture, or of certification, which causes harmful interference shall promptly take steps to eliminate the harmful interference.

[F. R. Doc. 55-10415; Filed, Dec. 23, 1955; 8:56 a. m.]

Proposed rule making

Bureau of Customs [19 CFR Part 1]

[192-31.1]

EAGLE AND HYDER, ALASKA

NOTICE OF PROPOSED REVOCATIONS OF DESIG-NATIONS AS CUSTOMS PORTS OF ENTRY

DECEMBER 22, 1955.

Notice is hereby given that, pursuant to the authority vested in the President by section 1 of the act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2) and delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, of September 17, 1951 (3 CFR, 1951 Supp., Ch. II) it is proposed to revoke the designations of Eagle and Hyder, Alaska, as customs ports of entry in Customs Collection District No. 31 (Alaska) and it is further proposed to amend section 1.1 of the Customs Regulations (19 CFR 1.1) by deleting the names "Eagle" and "Hyder" from the list of ports of entry in said district.

This action will be in the interest of efficient administration, as delays in depositing and accounting for collections. and various monthly reports, etc., required to be prepared by customs officers at ports of entry, will be eliminated. Although the volume of business at these ports has decreased materially, the Commissioner of Customs will designate such places as customs stations, and the customs officers will be retained to handle such business as may arise.

This notice is published pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003) Data, views, or arguments with respect to the proposed action may be addressed to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., in writ-

DEPARTMENT OF THE TREASURY ing. To assure consideration of such communications, they must be received in the Bureau of Customs not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

> DAVID W. KENDALL, Acting Secretary of the Treasury.

[F. R. Doc. 55-10409; Filed, Dec. 23, 1955; 8:54 a. m.1

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

17 CFR Parts 27, 28 1

COTTON

OFFICIAL STANDARDS OF THE UNITED STATES

Notice is hereby given, in accordance with section 4 of the Administrative Procedure Act (5 U.S. C. 1003) that the Agricultural Marketing Service is considering the amendment of §§ 27.202, 27.203, 27.204, and 28.115 of the official cotton standards for length of staple and the regulations relating to the oillcial cotton standards for grade and length of staple (7 CFR 27.202, 27.203, 27.204, and 28.115) pursuant to authority contained in section 6 of the United States Cotton Standards Act (42 Stat. 1518; 7 U. S. C. 58) and section 4854 of the Internal Revenue Code of 1954 (68A Stat. 580; 26 U.S.C., Supp. II, 4854).

The primary purposes of the proposed amendments are to (1) eliminate the staple designations "34" and "Below 34" and establish the designation "Below 1316," (2) eliminate the official standard for 34 inch staple length, and (3) eliminate the practical forms for the staple lengths 1%2, 11%2, and 1% inches for [F. R. Doc. 55-10421; Filed, Doc. 23, 1955; 8:57 a.m.] upland cotton.

The proposed amendments are as follows:

1. Delete from § 27.202 the designations "Below ¾, ¾;" and substitute therefor the designation "Below 13/16,."

2. Delete from the first clause of § 27.203 the designations "¾," "1%2," "111/32," and "1½."

3. Amend § 27.204 to read as follows:

§ 27.204 Over 1% inch staple. Cotton which is more than thirteen-sixteenths of an inch in length of staple, but is not exactly one of the measurements specified in § 27.202, shall be designated by that one of such measurements which comes nearest under its true measurement.

Amend the second and third undesignated paragraphs of § 28.115 (a) by inserting the words "Good Middling" immediately under the headings "White Grades."

5. Delete from § 28.115 (a) the terms "3/4 inch," " 1^{6}_{02} inches," " 1^{11}_{32} inches," and "1½ inches" listed under the heading "American Upland Cotton" with reference to standards for length of staple.

Any interested person who wishes to submit written data, views or arguments concerning the proposed amendments may do so by filing them with the Director, Cotton Division, Agricultural Marketing Service, Washington 25, D. C., not later than 30 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 23d day of December 1955.

[SEAL] ROY W. LENNARTSON, Deputy Administrator

8:57 a.m.]

[7 CFR Part 51]

INSPECTION AND CERTIFICATION OF FRUITS. VEGETABLES AND OTHER PRODUCTS 1

TICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the revision of existing regulations (7 CFR, Part 51) governing the inspection and certification of fruits,. vegetables, and other products, issued pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 7 U.S. C., 1621 et seq.) The proposed revision will implement Public Law 272, 84th Congress, 1st Session, approved August 9, 1955, amending the aforesaid act, by designating the certificates, memoranda, marks and other identifications and devices for making such marks or identifications, with respect to inspection, class, grade, quality, size, or condition, that are official for the purpose of said act. The proposed revision also changes the definition of the statutory authority under which inspection and certification are conducted.

All persons who desire to submit written data, views, or arguments in connection with the proposed revision should file the same in duplicate with the Chief. Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than 10 days after publication hereof in

the Federal Register.

1. Delete paragraph (a) under § 51.3 Terms defined, and insert in lieu thereof the following:

(a) "Act" means the applicable provisions of the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U.S. C. 1621 et seq.) or any other Act of Congress conferring like-authority.

2. Insert new § 51.3a as follows:

§ 51.3a. Designation of official certificates, memoranda, marks, other identifications, and devices for purposes of the Agricultural Marketing Act. Subsection 203(h) of the Agricultural Marketing Act of 1946, as amended by Public Law 272. 84th Congress, provides criminal penalties for various specified offenses relating to official certificates, memoranda, marks or other identifications, and devices for making such marks or identifications, issued or authorized under section 203 of said act, and certain misrepresentations concerning the inspection or grading of agricultural products under said section. For the purposes of said subsection and the provisions in this part, the terms listed below shall have the respective meanings specified:

(a) "Official certificate" means any form of certification, either written or printed, including those defined in § 51.3, used under this part to certify with respect to the inspection, class, grade, quality, size, quantity, or condition of products (including the compliance of products with applicable specifications)

(b) "Official memorandum" means any initial record of findings made by an authorized person in the process of grading, inspection, or sampling pursuant to this part, any processing or plant-operation report made by an authorized person in connection with grading, inspecting, or sampling under this part, and any report made by an authorized person of services performed pursuant to this part.

(c) "Official mark" means the grade mark, inspection mark, combined form of inspection and grade mark, and any other mark, or any variations in such marks, approved by the Administrator and authorized to be affixed to any product, or affixed to or printed on the packaging material of any product, stating that the product was graded or inspected or both, or indicating the appropriate U. S. grade or condition of the product, or for the purpose of maintaining the identity of products graded or inspected

or both under this part.

(d) "Official identification" means any United States (U.S.) standard designation of class, grade, quality, size, quantity, or condition specified in this Part of any symbol, stamp, label, or seal indicating that the product has been officially graded or inspected and/or indicating the class, grade, quality, size, quantity, or condition of the product approved by the Administrator and authorized to be affixed to any product, or affixed to or printed on the packaging material of any product.

(e) "Official device" means a stamping appliance, branding device, stencil, printed label, or any other mechanically or manually operated tool that is approved by the Administrator for the purpose of applying any official mark or other identification to any product or the packaging material thereof.

Done at Washington, D. C., this 23d day of December 1955.

[SEAL] ROY W LENNARTSON, Deputy Administrator for Marketing Services.

[F. R. Doc. 55-10423; Filed, Dec. 28, 1955; 8:57 a.m.]

[7 CFR Part 941 1

[Docket No. AO-101-A20]

MILK IN CHICAGO, ILL., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Chicago, Illinois, on July 5-8, 1955. pursuant to notice thereof which was 15sued on June 14, 1955 (20 F. R. 4256) and June 28, 1955 (20 F R. 4690)

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on November 29, 1955 (20 F R. 8854) filed with the Hearing Clerk, United States De-partment of Agriculture, his recommended decision, and notice of opportunity to file written exception thereto.

The material issues on the record of

the hearing were:

1. Whether Kankakee, Will County, and Lake County, all in Illinois, or portions thereof, should be added to the marketing area;

2. Class I price differentials:

- 3. General changes in accounting for milk, including use of a skim milk and butterfat system of accounting;
- 4. Special classification and price for milk used in the manufacture of American Cheese:
- 5. Revision of differential to producers with respect to milk received in the marketing area.
- 6. Revision of the base-excess method of paying producers, including changes in the calculation of bases, changes in base rules, and calculation of base and excess prices:

7. Allocation of class utilization to own farm production;

8. Application of the 70-cent differential added in the case of bulk Class I and Class II milk moved outside the surplus milk manufacturing area;

9. Pool plant approval on the basis of shipments to plants distributing in the

marketing area; and

10. Establishment of order prices at locations where milk is transferred from the tank truck in which it was picked up at the producer's farm to another tank truck.

This decision deals only with the bases assigned for the months of March, April, May and June 1956 to producers who relinguish earned bases, or have not earned a base, and base rules. All other issues on the record are reserved for a further decision.

Findings and conclusions. The following findings and conclusions on the material issues are based upon evidence

contained in the record of the hearing: Calculation of bases. The amount of base milk for producers who have not earned a base, or who relinquish an earned base, should be 65 percent of deliveries in March 1956, 60 percent of deliveries in April 1956, 55 percent in May and June 1956. Producers should be allowed until January 15 to elect the option of relinquishing an earned base.

Order provisions allow a producer until December 31 of any year to decide whether he wishes to retain his earned base or take a base calculated the same as for a new producer. For the 1955 season, a new producer's base was calculated for the several months as follows: for March, 65 percent of his average daily deliveries in the month, for April, 60 percent, and for May and June, 55 percent. Beginning with 1956, new producer bases would be calculated as 10 percent less than the average percentage of base milk calculated for the same month of the previous year with respect to producers with earned bases.

Testimony generally favored continuation of use of optional bases through

¹ Among such other products are the following: raw nuts; Christmas trees and greens; flowers and flower bulbs; and onion sets.

the 1956 base-payment period. In this connection, since producers have had a year of experience in adjusting their production to the base-excess plan, it is possible there will be less cause for relinguishing earned bases than last season. However, the manner in which optional bases would be computed for the March-June 1956 period would appear to be more liberal than used in the prior season. Since this condition would tend to lessen the effectiveness of the base plan, it is preferable to retain the fixed percentages of deliveries for the 1956 base-paying period to serve as the method for computing an optional base.

It was proposed that the period for allowing a producer to relinquish an earned base be extended from December 31, this year, as now provided, to January 15, 1956. Such an extension would give producers additional time to submit a notice of adopting new producer status, without interfering with the operation of administration of the base-excess plan. It is concluded that this change should be adopted.

Base rules. The following changes should be made in base rules:

Producers with more than one farm should be allowed to establish a base for each farm and relinguish a base for one farm without doing so for other farms. If more than one producer ships from a farm, one base should be computed for the farm, and be allocated to each producer according to his share in the sale of milk from the farm, unless one of the producers has a base earned while he was on another farm and requests he be allowed to retain such base. Provision should be made for division of a jointly held base. Provision should be made also to allow a producer to transfer credit towards establishment of a base in the same manner as he may transfer a base. The base rules should not be amended to allow a base to be earned on milk delivered to nonpool plants.

Testimony indicated that a number of producers with multiple farms found themselves at a disadvantage in that they could not relinguish a base and take the option of new producer status under the same circumstances as producers with a single farm. Present rules require that a producer with more than one farm must relinquish bases earned on all his farms if he relinquishes the base on one farm. It was testified there would be little danger of manipulation if a producer were allowed to elect the optional base on each farm separately. The proposed change is adopted in the proposed amendment attached hereto.

An additional base rule was proposed by the Dairy Division with respect to farms where there are two or more producers. Under the proposal, each producer would share in the base, during March, April, May, and June, in the same proportion each month as he shares in the milk deliveries. In exceptions, request was made to allow producers who have earned bases on separate farms to retain their individual bases if they join in a combined operation. Such a provision would give desirable flexibility when two producers with substantially variant earned bases wish to combine their oper-

ations. These provisions will serve to facilitate operation of the base plan and should be adopted. Another provision proposed by the Dairy Division would allow producers who have an interest in a jointly held base and cease producing milk from the same farm, to divide the base upon notice to the market administrator within the month in which the division is effective. It would be provided, however, that if the producers holding such a joint base do not notify the market administrator of the terms of division, it shall be divided in the same proportion as they shared in mill: deliveries during the base-making period, except that in the case of a partnership, the base shall be divided equally among the producers. This provision appears to be in accord with the experience in administration of the base plan, and will provide a specific method of division of bases.

An additional provision should be included to allow transfers of credit towards an earned base by a producer who discontinues shipping milk during the base-earning period.

It was proposed that a producer who has not earned a base on this market be allowed a base computed on his record of deliveries to another market.

Testimony in opposition to this proposal stressed the danger that dairy farmers, who in the short season sell in secondary markets where no base plans exist, might take advantage of such a provision to exploit the producer pool in this market during the base-payment months. There does not appear to be a real need for such a provision, inasmuch as a base allowance is provided for new producers.

Rulings on exceptions. In arriving at the findings and conclusions included in this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions herein are at variance with the exceptions, such exceptions are overruled.

Determination of representative period. The month of September 1955 is hereby determined to be the representative period for the purpose of accertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Chicago, Illinois, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

Marketing agreement and order Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900,14 of the rules

of practice and procedure, as amended, governing proceedings to formulate marlecting agreements and orders have been met.

It is hereby ordered, That all of this decision except the attached marketing agreement, he published in the Federal Register. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

Icsued at Washington, D. C., this 22d day of December 1955.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

Order Amending the Order as Amended, Regulating the Handling of Mills in the Chicago, Illinois, Marketing Area

§ 941.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendment thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, is it found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area and the minmum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the

¹This order chall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Chicago, Illinois, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

- 1. In § 941.69 (a) (1) delete the words "December 31" and insert instead the words "January 15 preceding the months in which the base applies,"
- 2. In § 941.69 (a) (2) delete subdivision (ii) and substitute the following:
- (ii) Determine the percentage that base milk was of the remaining pounds, and subtract ten, except that for the months of March, April, May and June 1956 the percentages computed pursuant to this subdivision shall be as follows:

Month:	Percentage
March 1956	65
April 1956	60
May 1956	55
June 1956	55

- 3. Delete § 941.69 (b) (3) and substitute the following:
- (3) Where two or more producers deliver milk from the same farm, the market administrator shall compute one base for each such farm, which base shall be held jointly in the names of the producers, and during March, April, May and June, each producer having an interest in a jointly held base shall share the base during each delivery period in the same proportion as he shares in the milk deliveries in such delivery period: Provided, That if the producers have earned bases separately, one or more of which was earned on another farm, each producer may retain his individual base if application is made in writing to the market administrator postmarked not later than the last day of the first month during which the base is to apply.
- 4. Renumber § 941.69 (b) (4) as § 941.69 (b) (5) and insert a new subparagraph (4) as follows:
- (4) When two or more producers holding a joint base cease delivering milk from the same farm, the base may be divided among the producers having an interest in such base by notification in writing to the market administrator postmarked not later than the last day of the month during which the division is to be effective, such notification to specify the terms of division of base and bearing the signatures of all interested producers: Provided, That in the event producers do not notify the market administrator of their agreed terms of division of base by letter postmarked not later than the last day of the month during which the division is effective, the market administrator shall divide the base among the producers in the same ratio as they shared in the milk deliveries during the base-making period, or if the base is held in the name of a part-

nership, it shall be divided equally among the interested producers.

- 5. In § 941.69 (b) insert subparagraph (6) as follows:
- (6) Subject to the provisions set forth in subparagraphs (1) and (2) of this paragraph, a producer who discontinues shipping milk to a pool plant during September, October or November may transfer to another producer credit for milk deliveries for base making purposes.

[F. R. Doc 55-10404; Filed, Dec. 28, 1955; 8:53 a. m.]

Commodity Stabilization Service [7 CFR Part 728]

WHEAT

NOTICE OF DETERMINATIONS TO BE MADE.
WITH RESPECT TO MARKETING QUOTAS,
NATIONAL, STATE, AND COUNTY ACREAGE
ALLOTMENTS, AND FORMULATION OF REGULATIONS PERTAINING TO FARM ACREAGE
ALLOTMENTS AND COUNTY NORMAL YIELDS.
FOR THE 1957 CROP

Pursuant to the authority contained applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1332, 1333, 1334, 1335), the Secretary of Agriculture is preparing to determine whether marketing quotas are required to be proclaimed for the 1957 crop of wheat, to determine and proclaim the national acreage allotment for the 1957 crop of wheat, to apportion among States and counties the national acreage allotment for the 1957 crop of wheat, and to formulate regulations for establishing farm acreage allotments and county normal yields for the 1957 crop of wheat.

Section 335 of the act provides that whenever in the calendar year 1956 the Secretary determines (1) that the total supply of wheat for the 1956-57 marketing year will exceed the normal supply for such marketing year by more than 20 per centum, or (2) that the total supply of wheat for the 1955-56 marketing year is not less than the normal supply for such marketing year and that the average farm price for wheat for three consecutive months of such marketing year does not exceed 66 per centum of parity, the Secretary shall, not later than May 15, 1956, proclaim such fact and a national marketing quota shall be in effect on the marketing of wheat during the 1957-58 marketing year.

Section 333 of the act provides that the national acreage allotment shall be that acreage which the Secretary determines will, on the basis of the national average yield for wheat, produce an amount thereof adequate, together with the estimated carry-over at the beginning of the marketing year for such crop and imports, to make available a supply for such marketing year equal to a normal year's domestic consumption and exports plus 30 per centum thereof; but such allotment for any year shall not be less than 55 million acres. Section 332 of the act requires that the Secretary, not later than May 15, 1956, shall ascertain and

proclaim national acreage allotment for the 1957 crop of wheat.

As defined in section 301 of the act, for the purpose of these determinations, total supply" for any marketing year is the carryover of wheat for such marketing year, plus the estimated production of wheat in the United States during the calendar year in which such marketing year begins and the estimated imports of wheat into the United States during such marketing year; "normal supply" for any marketing year is the estimated domestic consumption of wheat for the marketing year ending immediately prior to the marketing year for which normal supply is being determined, plus the estimated exports of wheat for the marketing year for which normal supply is being determined, plus 20 per centum of such consumption and exports, with such adjustments for ourrent trends in consumption and for unusual conditions as deemed necessary; "normal year's domestic consumption" of wheat is the yearly average quantity of wheat that was consumed in the United States during the ten marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption; "normal year's exports" of wheat is the yearly average quantity of wheat produced in the United States that was exported from the United States during the ten marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports: "marketing year" for wheat is the period July 1 to June 30; and "national average yield" of wheat is the national average yield of wheat for the ten calendar years preceding the year in which such national average yield is used, adjusted for abnormal weather conditions and for trends in yields.

Section 334 (a) of the act requires that the national acreage allotment of wheat for the 1957 crop, less a reserve of not to exceed one per centum thereof, be apportioned among the several States on the basis of the acreage seeded for the production of wheat during the ten calendar years 1946-1955 (plus, in applicable years, the acreage diverted under agricultural adjustment and conservation programs), with adulstments for abnormal weather conditions and trends in acreage during such period. Section 334 (b) of the act requires that the State acreage allotment of wheat for the 1957 crop, less a reserve of not to exceed 3 per centum thereof, be apportioned among the counties in the State on the basis of the acreage seeded for the production of wheat during the ten calendar years 1946-1955 (plus, in applicable years, the acreage diverted under agricultural adjustment and conservation programs). with adjustments for abnormal weather conditions and trends in acreage during such period and for the promotion of soil-conservation practices.

Section 335 (e) of the act provides that if for any marketing year, the acreage allotment for wheat for any State is twenty-five thousand acres or less the Secretary in order to promote

efficient administration of the act and the Agricultural Act of 1949 may designate such State as outside the commercial wheat-producing area for such marketing year. The acreage allotment for any other State shall not be increased by reason of such designation.

Section 334 (c) of the act requires that the allotment to the county be apportioned among the farms within the county on the basis of past acreage of wheat, tillable acres, crop-rotation practices, type of soil, and topography, and provides that not more than 3 per centum of the State allotment be apportioned to farms on which wheat has not been planted for harvest during any of the three marketing years immediately preceding the marketing year in which the allotment is made.

Section 301 (b) (13) of the act provides for the determination of county normal yields of wheat by taking the average yields per acre of wheat for the county during the ten calendar years immediately preceding the year in which such normal yield is determined, adjusted for abnormal weather conditions and trends in yields. Provision is also made that if for any year during such 10-year period the data are not available, or there is no actual yield, an appraised yield for such year shall be determined in accordance with regulations issued by the Secretary of Agriculture, and that such normal yield per acre for any county need be redetermined only when the actual average yield for the ten calendar years immediately preceding the calendar year in which such yield is being reconsidered differs by at least 5 per centum from the actual average yield for the 10 years upon which the existing normal yield per acre for the county was based.

It is proposed that in connection with apportionment of the national wheat acreage allotment among States a reserve of from one tenth of one per centum to five tenths of one per centum of the national acreage allotment be first deducted therefrom for making additional acreage allotments to counties on the basis of their relative needs for additional allotment because of reclamation or other new areas coming into the production of wheat during the preceding ten calendar years as authorized by section 334 (a) of the act.

It is proposed that in connection with the apportionment of the State acreage allotments among counties the State Agricultural Stabilization and Conservation Committee for each State shall determme the percentage of the State acreage allotment, not in excess of three per centum, which shall be reserved for apportionment to farms in the State on which wheat will be produced for 1957 for the first time since 1953.

It is proposed that the regulations for establishing farm acreage allotments for the 1957 crop of wheat shall be substantially the same as those for the 1956 crop of wheat (20 F. R. 1632) with the following exceptions:

1. The historical acreage for any farm shall be determined on the basis of the average wheat acreage on the farm for the four years 1952 through 1955, mprogram and 1955 program.

2. Where the base acreage for the farm determined under the regulations for the 1956 crop of wheat would be substantially the same as that under the proposed regulations, the 1956 base acreage may be used for 1957; and in cases where the base acreage for the farm determined under the regulations for 1955 (19 F. R. 3250, 6157, 6391) rather than the 1956 base acreage is representative for 1957 because of the established crop rotation system for the farm and such 1955 base acreage would be substantially the same as that under the proposed regulations, the 1955 base acreage may be used for 1957.

Prior to making any of the foregoing determinations with respect to marketing quotas and national, State, and county acreage allotments for the 1957 crop of wheat and the formulation of regulations for the establishment of farm acreage allotments and county normal yields for the 1957 crop of wheat consideration will be given to data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Grain Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than fifteen days after the date of publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 22d day of December 1955.

[SEAL]

EARL M. HUGHES, Administrator

JF. R. Doc. 55-10401; Filed, Dec. 23, 1955; 8:52 a. m.]

FEDERAL POWER COMMISSION

I 18 CFR Part 141 I

[Docket No. R-149]

FPC Forms No. 12, 12-A and 12-D POWER SYSTEMS STATEMENTS

NOTICE OF PROPOSED RULE MAKING

DECEMBER 20, 1955.

- 1. Notice is hereby given of proposed rule making in the above-entitled mat-
- 2. Pursuant to the authority vested in it by the Federal Power Act (49 Stat. 838, 16 U.S. C. 791a-825r) and particularly sections 4 (a), 301 (a), 304 (a) 309 and 311 (49 Stat. 339, 854, 855, 353 and 859) thereof, the Commission proposes to amend §§ 141.51, 141.52 and 141.55 of the Commission's rules (10 CFR § 141.51, § 141.52 and § 141.55) to as to prescribe revised FPC Forms 12, 12-A and 12-D.1
- 3. FPC Forms No. 12, 12-A and 12-D solicit from each corporation, percon, agency, authority, or other legal entity or instrumentality, whether public or private, which operates facilities for the generation, transmission or distribution of electric energy, information concerning electric generating and transmission facilities electric loads, classified uses of electric energy, and power and energy transactions with other electric utility

cluding acreage diverted under the 1954 systems. In general, the proposed program and 1955 program. Changes would defer the filing date from April 15 to May 1, simplify the reporting requirements for smaller systems, and provide that for the year 1955 and every fifth year thereafter full reports be made of certain system data rather than only the changes occurring during the year. Such full reporting every fifth year and reporting for other years only of changes would be in accordance with the practice heretofore followed.

4. The detailed proposed changes in

Form FPC 12 are as follows: Cover and Page 1—The date the report should be filed has been changed to May 1 instead of April 15.

General Instructions—A new Class V has been added for utility systems which generate no energy but purchase their entire system energy requirements from other systems. This change will allow such utility systems to report on the smaller F. P. C. Form No. 12-A rather than the larger FPC Form No. 12, except that particular systems may be requested to use the latter.

Schedule 3-The instructions are revised to require reporting for steamelectric plants of under 10,000, instead of 5,000, kw installed capacity, and internal-combustion plants of under 2,500, instead of 1,000, law installed capacity.

Schedule 5-The instructions are revised to require reporting on steam-electric plants of 10,000, instead of 5,000, Lw installed capacity or greater.

Schedule 7-The instructions are revised to require reporting for internalcombustion engine plants of 2,500, instead of 1,000, kw installed capacity or greater.

Schedule 8, Instruction 1 of Part A, Schedule 13, Instruction 1 (b) and Schedule 15, Instructions, will be editorially revised due to the change in system classification.

Schedule 18-Minor editornal changes are included in Instructions 2 and 4 to avoid the use of the term "transmission line" also, Instruction 6 is deleted.

Schedules 2, 3, 4, 5 and 7 are revised so as to require full reporting of data for 1955 and every fifth year thereafter, instead merely of changes occurring during the year.

5. The proposed changes in Form FPC 12-A are as follows:

Title Page—The date the report should be filed has been changed to May 1 instead of April 15.

General Instructions—Changed to provide for the new Class V filing, as described above for Form FPC 12.

General Instruction 15 is revised to require reporting of plant data for steamelectric plants of 10,000, instead of 5,000, law installed capacity or greater, and mternal-combustion engine plants of 2,500, instead of 1,000, law installed capacity or greater. This instruction is also revised to require that all plants be reported for 1955 and every fifth year thereafter, rather than merely changes occurring during the year.

Schedule 6—Minor editorial changes are included in the instructions to avoid the use of the term "transmission line."

6. In Form FPC 12-D it is merely proposed to change the date the report should be filed from April 15 to May 1.

Forms filed with original document.

7. Although the proposed revision of FPC Forms 12, 12-A and 12-D is deemed to be purely a matter of procedure or practice not requiring notice under section 4 (a) of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003 (a) (1946)), this notice will be published in the Federal Register and will be served on all public utilities and licensees subject to the Federal Power Act. The Commission desires to have and will consider any data, views or comments which any interested person may submit not later than January 13, 1956.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-10368; Filed, Dec. 28, 1955; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 72, 73, 74, 77, 78]

[Docket 3666; Notice 21]

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

NOTICE OF PROPOSED RULE MAKING

NOVEMBER 29, 1955.

The Commission is in receipt of applications for early amendment of the above-entitled regulations insofar as they apply to shippers in the preparation of articles for transportation, and to all carriers by rail and highway. The proposed amendments are set forth below and the reasons therefor are listed in the appendix hereto.

Application for these amendments ordinarily would be considered at our next hearing in this docket. It appears, however, that the proposed amendments have been the subject of exchanges and study by interested parties, in which substantial agreement has been reached. In view thereof no oral hearing is con-

templated at this time.

Any party desiring to make representations in favor of or against the proposed amendments may do so through the submission of written data, views, or arguments. The original and five copies of such submission may be filed with the Commission on or before January 4, 1956. The proposed amendments are subject to change or changes that may be made as a result of such submissions.

Notice to the general public will be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection, and by filing a copy of the notice with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. McCoy, Secretary.

PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CON-TAINING THE SHIPPING NAME OR DESCRIP-TION OF ALL ARTICLES SUBJECT TO PARTS 71–78 OF THIS CHAPTER.

Amend § 72.5 Commodity List (19 F. R. 8524, Dec. 14, 1954) (17 F. R. 7279, Aug. 9, 1952) (20 F R. 949, Feb. 15, 1955) (15 F R. 8265, 8267, 8272; 8273, Dec. 2, 1950) (49 CFR 1950 Rev., 1954 Supp., 72.5) as follows:

§ 72.5 List of explosives and other dangerous articles. (a) * * *

Article	Classed as—	Exemptions and packing (see sec.) Label required if not exempt		Maximum quan- tity in 1 outside container by rail express
Change				
*Ammonium nitrate-phosphate *Chlorate and magnesium chloride mixture.	Oxy. M Oxy. M	73.153, 73.182	YellowYellow	100 pounds, 100 pounds,
Achione	Nonf. G Pois. D	73.302, 73.308, 73.314, 73.315 73.392, 73.393, 73.394	Poison Radio- active materi- als (Blue or Red).	150 pounds. See § 73.391 (b) and (c).
Add				
Chromyl chloride Cigarette loads Heaters for refrigerator cars,	Cor. L Expl. C F. L	No exemption, 73.244, 73.247. No exemption, 73.111	White	1 gallon. 150 pounds.
liquid fuel type. Sodium potassium alloys Trick matches	F. S. Expl. C	No exemption, 73.206 No exemption, 73.111	Yellow	25 pounds. 150 pounds.

PART 73-SHIPPERS

SUBPART A—PREPARATION OF ARTICLES FOR TRANSPORTATION BY CARRIERS BY RAIL FREIGHT, RAIL EXPRESS, HIGHWAY, OR WATER

Amend §.73.33 paragraph (k) (11) (19 F. R. 3259, June 3, 1954) (49 CFR 1950 Rev., 1954 Supp., 73.33) to read as follows:

§ 73.33 Qualification, maintenance, and use of cargo tanks. * * *

(k). * * *

(11) Every cargo tank authorized for the transportation of flammable liquids and/or corrosive liquids under specifications MC 300 to MC 304 inclusive, MC 310, or MC 311 (§§ 78.321 to 78.324, 78.330, or 78.331 of this chapter) must be retested as provided in the applicable specification, except that retests not required on tanks equipped with rubber lining but retests must be made before such tanks are relined.

SUBPART B—EXPLOSIVES; DEFINITION AND PREPARATION

1. In § 73.65 amend the introductory text of paragraph (b) (19 F R. 8525, Dec. 14, 1954) (49 CFR 1950 Rev., 1954 Supp., 73.65) to read as follows:

§ 73.65 High explosives with no liquid explosive ingredient nor any chlorate.

(b) Amatol consisting of 80 percent ammonium nitrate and 20 percent trinitrotoluene, ammonium pierate, nitroguandine, nitrourea, urea nitrate, pieric acid, tetryl, trinitroresorcinol, trinitrotoluene, pentolite, cyclotrimethylenetrinitramine (desensitized) and soda amatol, in dry condition, in addition to containers prescribed in paragraphs (a) (1) to (5) of this section, may be shipped in containers complying with the following specifications:

2. Add paragraph (a) (4) to § 73.92 (18 F R. 6777, Oct. 27, 1953) (49 CFR 1950 Rev., 1954 Supp., 73.92) to read as follows:

§ 73.92 Jet thrust units (jato) class B, or igniters, jet thrust. (a) * * *

(4) Jet thrust units (jato) class B, may be packed in the same outside shipping container with separately packaged

igniters, jet thrust, when the containers are approved by the Bureau of Explosives.

3. Amend § 73.100 paragraph (r) (11), add paragraph (x) (18 F R. 3134, June 2, 1953) (15 F R. 8296, Dec. 2, 1950) (40 CFR 1950 Rev., 1954 Supp., 73.100) to read as follows:

§ 73.100 Definitions of class C explosives. * * *

(r) * * *

(11) Novelties consisting of two or more devices enumerated in this paragraph when approved by the Bureau of Explosives.

(x) Cigarette loads and trick matches must be of a type approved by the Bureau of Explosives and are described as follows:

(1) Cigarette loads consist of wooden pegs to which are affixed a small amount of explosive composition.

(2) Trick matches consist of book matches, strike anywhere matches, or strike-on-box matches which have small amounts of explosive or pyrotechnic composition affixed to the match stem just below the match head.

4. In § 73.111 amend the heading, and introductory text of paragraph (a) (20 F R. 950, Feb. 15, 1955) (49 CFR 73.111, 1950 Rev.) to read as follows:

§ 73.111 Cigarette loads, explosive auto alarms, toy propellant devices, toy smoke devices, and trick matches. (a) Cigarette loads, explosive auto alarms, toy propellant devices, toy smoke devices, and trick matches must be packed in containers complying with the following specifications:

Subpart C—Flammable Liquids; definition and preparation

1. Amend § 73.115 paragraph (a) (15 F R. 8297, Dec. 2, 1950) (49 CFR 73.115, 1950 Rev.) to read as follows:

§ 73.115 Flammable liquids; definition. (a) A flammable liquid for the purpose of Parts 71-78 of this chapter is any liquid other than a pressurized flammable liquid which gives off flammable vapors (as determined by flash point from Tagliabue's open-cup tester, as used for test of burning oils) at or below a temperature of 80° F

2. Amend § 73.119 paragraphs (a) (17) (b) (6) (e) (3) (f) (5) and (k) (2) (15 F R. 8298 to 8300, Dec. 2, 1850) (49 CFR 73.119, 1950 Rev.) to read as follows:

§ 73.119 Flammable liquids not specifically provided for (a) * * *

(17) Spec. MC 300, MC 301, MC 302, MC 303, or MC 304 (§§ 78.321, 78.322, 78.323, 78.324, or 78.325 of this chapter) Tank motor vehicles.

[Note 1 remains unchanged.] ¢

* -(b) Flammable liquids with flash point above 20° F to 80° F * * *

- (6) Spec. 6K (§ 78.101 of this chapter) Metal barrels or drums which must be constructed of Type 304 stainless steel, having heads with minimum convexity of % inch welded to the body, and be equipped at both heads with 12 gauge chime reinforcements. Body seams shall be welded. Drums shall be equipped with I-bar rolling hoops.
- 🗢 • * (e) When the vapor pressure exceeds 16 pounds per square inch, absolute, at 100° F * *
- (3) Spec. MC 300, MC 301, MC 302, MC 303, or MC 304 (§§ 78.321, 78.322, 78.323, 78.324, or 78.325 of this chapter) Tank motor vehicles.
- (f) When the vapor pressure exceeds 27 pounds per square inch, absolute, at 100° F * * *
- (5) Spec. MC 304 (§ 78.325 of this chapter) Tank motor vehicle.
- (k) Viscous flammable liquids having a vapor pressure which does not exceed 16 pounds per square inch, absolute, at 100°F * * *
- (2) Spec. 6A, 6B, 6C, or 42F (§§ 78.97, 78.98, 78.99, or 78.110 of this chapter) Metal barrels or drums.
- 3. Add paragraph (a) (5) to § 73.125 ·(15 F. R. 8301, Dec. 2, 1950) (49 CFR 73.125, 1950 Rev.) to read as follows:

§ 73.125 Alcohol. (a) * * *

- (5) Spec. 6J (§ 78.100 of this chapter) Steel barrels or drums having inside spec. 2S (§ 78.35 of this chapter) polyethylene drum. Gross weight restriction indicated by the gross weight embossment in the steel barrel or drum shall be waived.
- 4. Add paragraph (a) (8) to § 73.141 (16 F R. 11777, Nov. 21, 1951) (49 CFR 1950 Rev., 1954 Supp., 73.141) to read as follows:
- § 73.141 Amyl mercaptan, butyl mercaptan, ethyl mercaptan, isopropyl mercaptan, propyl mercaptan, and aliphatic mercaptan mixtures. (a) * * *
- (8) Spec. MC 330 (§ 78.336 of this chapter) tank motor vehicles.
- 5. Add paragraphs (a) (4) and (5) to § 73.145 (20 F. R. 8101, Oct. 28, 1955) (49 CFR 73.145, 1950 Rev.) to read as follows:
- § 73.145 Methylhydrazine and unsdlmethylhydrazine. (a) * * *
- (4) Spec. 17H (§ 78.118 of this chapter) Metal barrels or drums (single-

- trip) Authorized only for unsymmetrical dimethylhydrazine.
- (5) Spec. 42B (§ 78.107 of this chap-Aluminum drums. Authorized ter) only for unsymmetrical dimethylhydrazine.
- 6. Add § 73.146 (15 F. R. 8303, Dec. 2. 1950) (49 CFR 73.146, 1950 Rev.) to read as follows:
- § 73.146 Heaters for refrigerator cars, liquid fuel type. (a) Heaters of the liquid fuel type for refrigerator cars, containing flammable liquid fuel, may be shipped in carload or truckload lots provided each heater shall have been inspected to see that flame has been entinguished, that there is no leakage of fuel. and that controls are in the "off" position. Heaters shall be loaded and braced so as to prevent falling, tipping, or mechanical damage under normal conditions incident to transportation.
- (b) Heaters of the liquid fuel type for refrigerator cars must have their fuel tanks completely drained if offered for transportation or transported in lessthan-carload or less-than-truckload
- SUBPART D-FLAMMABLE SOLIDS AND ONIDIZ-ING MATERIALS; DEFINITION AND PREPARA-TION
- 1. Add paragraph (c) (64) to § 73.153 (15 F. R. 8303, Dec. 2, 1950) (49 CFR 73.153, 1950 Rev.) to read as follows:
- § 73.153 Exemptions for flammable. solids and oxidizing materials. * * * (c) * ° °
 - (64) Sodium potassium alloys.
- 2. In § 73.182 amend the introductory text of paragraphs (a) and (b) by incerting footnote 1 after the commodity "Ammonium nitrate-phosphate" (19 F. R. 8526, Dec. 14, 1954) (20 F. R. 4415, June 23, 1955) (49 CFR 1950 Rev., 1954 Supp., 73.182) to read as follows:

§ 73.182 Nitrates. (a) * * *

Ammonium nitrate—phosphate. (b) * * *

Ammonium nitrate—phosphate.

- 3. Amend § 73.190 paragraph (b) (3) (16 F R. 11778, Nov. 21, 1951) (49 CFR 1950 Rev., 1954 Supp., 73.190) to read as follows:
- § 73.190 Phosphorus, white or yellow.

(b) * * *

(3) Spec. 103 or 103-W (3 78.265 or § 78.280 of this chapter) Tank cars without bottom outlet for discharge of lading and with approved dome fittings, external heater systems, and with insulation at least 4 inches in thickness. except that thickness of insulation may be reduced to 2 inches over external heater coils. Bottom washout nozzle of approved design may be applied. The material must be immersed in water and must be loaded at a temperature not exceeding 140° F. and then cooled until the water has a temperature not exceeding 105° F. before car is offered to carrier. The water must be leaded in the dome to not more than 50 percent of the capacity of the dome. After unloading, the tank must be filled to its entire capacity and the dome to not more than 50 percent of its capacity with water having a temperature not less than 105° F and not over 140° F and placarded with the caution placard prescribed in § 74.555, before the car is offered for return movement.

[Note 1 remains unchanged.]

4. Amend § 73.202 paragraphs (a) (1) and (2) (15 F. R. 8310, Dec. 2, 1950) (49 CFR 73.202, 1950 Rev.) to read as follows:

§ 73.202 Sodium and potassium, metallic liquid alloy. (a)

- (1) Spec. 15A or 15B (§§ 70.163 or 78169 of this chapter). Wooden bones with inside metal containers of a type approved by the Bureau of Explosives cushioned with incombustible cushioning material. Each container must have been tested hydrostatically to a pressure of not loss than 60 pounds per square inch. Closing devices must be protected from injury. Not more than 250 pounds of codium or potassium liquid alloy may be shipped in one outside container.
- (2) Spec. 5A (§ 78.81 of this chapter). Metal barrels or drums not exceeding 400 pounds capacity each, having protruding valves protected by a 12-gauge steel dome securely attached to the head of the drum. Shipments are authorized by rail freight in carload lots only and by motor vehicle in truckload lots only. Shipper shall arrange for return of empty drums, which shall be charged with non-reactive gas to a pressure not exceeding 7 pounds per square inch gauge, and chipments may be made in less-than-carload or less-than-truckload lots.

SUPPART E-ACIES AND OTHER COREOSIVE LIQUIDS; DEFINITION AND PREPARATION

- 1. Add paragraph (c) (49) to § 73.244 (15 F. R. 8313, Dec. 2, 1950) (49 CFR 73.244, 1950 Rev.) to read as follows:
- § 73.244 Exemptions for acids and other corresive liquids. • (c) ° ° °

 - (49) Chromyl chloride.
- 2. Add paragraphs (a) (15) and (16) to § 73.245 (15 F. R. 8313, Dec. 2, 1950) (49 CFR 73.245, 1950 Rev.) to read as follows:
- § 73.245 Acids or other corrosive liquids not specifically provided for. (a)
- (15) Spec. 17H (§ 78.118 of this chapter). Metal drums (singletrip). Authorized for viscous cleaning compounds, liquid, only.
- (16) Spec. 6J (§ 78.100 of this chapter) Steel barrels or drums having inside spec. 2S (§ 78.35 of this chapter) polyethylene drum. Gross weight restriction indicated by the gross weight emborrment in the steel barrel or drum shall be waived.
- 3. In § 73.247 amend the introductory text of paragraph (a) add paragraphs (a) (14) (15) and (16) (18 F. R. 803, Fab. 7, 1953) (15 F. R. 8314, Dac. 2, 1950)

¹Applies only to materials classed as dangerous under definition in § 73.150.

(49 CFR 1950 Rev., 1954 Supp., 73.247) to read as follows:

§ 73.247 Acetyl chloride, antimony: pentachloride, benzoyl chloride, benzyl chloride, chromyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di) sulfuryl chloride, thionyl chloride, tin tetrachloride (anhydrous) and titanium tetrachloride. (a) Acetyl chloride, antimony pentachloride, benzoyl chloride, benzyl chloride, chromyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di) sulfuryl chloride, thionyl chloride, tin tetrachloride (anhydrous) and titanium tetrachloride, must, except as indicated, be packed in specification containers as follows:

(14) Spec. 5C (§ 78.83 of this chap-Barrels or drums of type 304 stainter) less steel not over 30 gallons capacity each. Authorized for chromyl chloride

(15) Spec. 42D (§ 78.109 of this chapter) Aluminum drums not over 30 gallons capacity each. Authorized for

chromyl chloride only.

- (16) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, or 78.190 of this chapter) Wooden boxes with aluminum bottles of 99 percent pure aluminum not over 1 gallon capacity each, having aluminum screw caps with gasket resistant to the contents. Authorized for chromyl chloride only.
- 4. Add paragraphs (a) (9) and (10) to § 73.257 (15 F R. 8315, Dec. 2, 1950) (49 CFR 73.257, 1950 Rev.) to read as follows:

§ 73.257 Electrolyte (acid) or corro-

sive battery fluid. (a) * * * (9) Spec. 12B (§ 78.205 of this chapter) Fiberboard boxes with inside containers as authorized by § 78,205-32 of

this chapter.

- (10) Spec. 12B (§ 78.205 of this chapter) Fiberboard boxes having not more than 1 inside glass bottle, with acid-proof closure, not over 1 gallon capacity. Box shall be constructed of at least 350-pound test (Mullen or Cady) double-faced corrugated fiberboard of full depth telescope type. Cushioning and closure of box (pressure sensitive tape may be used) must be such that a representative box, with inside glass bottle filled with water. shall be capable of withstanding two drops from a height of 4 feet onto solid concrete without breakage of inner bottle or failure of the closure.
- 5. Amend § 37.260 paragraph (c) (1) (17 F R 4294, May 10, 1952) (49 CFR 1950 Rev., 1954 Supp., 73.260) to read as follows:
- § 73.260 Electric storage batteries. wet. * * * (c) * * *
- (1) Slip cover or fiberboard box must fit snugly and provide inside top clearance of at least 1/2 inch above battery terminals and filler caps with reinforcement in place. Assembled for shipment. the bottom edges of the slip cover must not extend to the base of the battery but must not expose more than 1 inch thereof.

- 6. Amend § 73.262 paragraph (a) (1) (17 F R. 7281, Aug. 9, 1952) (49 CFR 1950 Rev., 1954 Supp., 73.262) to read as follows:
- § 73.262 Hybromic acid. (a) * * * (1) Spec. 1A, 1C, 1D, 1E, or 1F (§§ 78.1, 78.3, 78.4, 78.7, or 78.10 of this chapter) Carboys in boxes, kegs, or plywood drums.
- 7. In § 73.263 amend paragraph (a) (13) add paragraphs (a) (16) and (17) (18,F R. 3135, June 2, 1953) (15 F R. 8317, Dec. 2, 1950) (49 CFR 1950 Rev., 1954 Supp., 73.263) to read as follows:
- § 73.263 Hydrochloric (muriatic) acid, hydrochloric (muriatic) acid mixtures, hydrochloric (muriatic) acid solution, inhibited, and sodium chlorite solution. (a) * * * solution. (a)
- (13) Spec. 1F 1G, or 1H (§§ 78.10, 78.11, or 78.13 of this chapter) Polyethylene carboys in wooden boxes, plywood drums or boxes, or metal crates.
- * (16) Spec. 12B (§ 78.205 of this chapter) Fiberboard boxes as authorized by § 78.205-32 of this chapter.

*

- (17) Spec. 6J (§ 78.100 of this chapter) Steel barrels or drums having inside spec. 2S (§ 78.35 of this chapter) polyethylene drum. Gross weight restriction indicated by the gross weight embossment in the steel barrel or drum shall be waived.
- 8. Amend § 73.264 paragraphs (a) (1) and (2) add paragraph (a) (17) (17 F R. 1562, Feb. 20, 1952) (15 F R. 8317, Dec. 2, 1950) (49 CFR 1950 Rev., 1954 Supp., 73.264) to read as follows:
- § 73.264 Hydrofluoric acid. (a) * * * (1) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, or 78.190 of this chapter) Wooden boxes with inside containers of natural rubber, ceresine, lead, or other hydrofluoric acid resistant material. These containers are authorized only for strengths of acid for which they are adequate, but in no case may the strength of acid exceed 70 percent.
- (2) Spec. 12B (§ 78.205 of this chapter) Fiberboard boxes with inside contamers of natural rubber, lead, polyethylene, or other hydrofluoric acid resistant plastic not over one-pound capacity each. These containers are authorized only for strengths of acid for which they are adequate, but in no case shall the strength of acid exceed 70 percent.
- (17) Spec. 6J (§ 78.100 of this chapter) Steel barrels or drums having inside spec. 2S (§ 78.35 of this chapter) polyethylene drum. Authorized for acid not over 60 percent strength. Gross weight restriction indicated by the gross weight embossment in the steel barrel or drum shall be waived.
- 9. Add paragraph (d) (3) to § 73.265 (18 F. R. 3135, June 2, 1953) (49 CFR 1950 Rev., 1954 Supp., 73.265) to read as follows:
 - § 73.265 Hydrofluosilicic acid. * * * (d) * * *

- (3) Spec. 6J (§ 78.100 of this chap-Steel barrels or drums having inter) side spec. 2S (§ 78.35 of this chapter) polyethylene drum. Gross weight restriction indicated by the gross weight embossment in the steel barrel or drum shall be waived.
- 10. Add paragraph (c) (5) to § 73.266 (15 F R. 8318, Dec. 2, 1950) (49 CFR 73.266, 1950 Rev.) to read as follows:
- § 73.266 Hydrogen peroxide solution in water * * * (c) * * *
- (5) Spec. 1F 1G, or 1H (§§ 78.10, 78.11, or 78.13 of this chapter) Polyethylene carboys in wooden boxes, plywood drums, or metal crates.
- 11. Add paragraphs (i) (5) and (6) to § 73.272 (15 F R. 8321, Dec. 2, 1950) (49 CFR 73.272, 1950 Rev.) to rend as follows:
 - § 73.272 Sulfuric acid. * * * (i) * * *

(5) Spec. 1F 1G, or 1H (§§ 78.10, 78.11, or 78.13 of this chapter) Polyethylene carboys in wooden boxes, plywood drums or boxes, or metal crates.

(6) Spec. 6J (§ 78.100 of this chap-Steel barrels or drums having inside spec. 2S (§ 78.35 of this chapter) polyethylene drum. Gross weight restriction indicated by the gross weight embossment in the steel barrel or drum shall be waived.

12. Add paragraphs (a) (3) and (4) to § 73.277 (15 F R. 8322, Dec. 2, 1950) (49 CFR 73.277, 1950 Rev.) to read as follows:

- § 73.277 Hypochlorite solutions, (a)
- (3) Spec. 1F 1G, or 1H (§§ 78.10, 78.11, or 78.13 of this chapter) Polyethylene carboysin wooden boxes, plywood drums or boxes, or metal crates. Authorized for sodium hypochlorite solution not over 16 percent strength only.
- (4) Spec. 6J (§ 78.100 of this chapter) Steel barrels or drums having inside spec. 2S (§ 78.35 of this chapter) polyethylene drum. Gross weight restriction indicated by the gross weight embossment in the steel barrel or drum shall be waived. Authorized for not over 16 percent sodium hypochlorite solution only.
- 13. Add paragraph (a) (2) to § 73.285 (15 F R. 8323, Dec. 2, 1950) (49 CFR 73.285, 1950 Rev.) to read as follows:
- § 73.285 Chlorine trifluoride.
- (2) Not more than 5 pounds of chlorine trifluoride may, in addition to provisions of subparagraph (1) of this paragraph, be packed in cylinders equal to or of greater efficiency than those prescribed in subparagraph (1) of this paragraph when approved by the Bureau of Explosives.
- 14. Add paragraphs (a) (10) and (11) to § 73:289 (16 F R. 11779, Nov. 21, 1951) (49 CFR 1950 Rev., 1954 Supp., 73.289) to read as follows:
- § 73.289 Formic acid and formic acid solutions. (a) * * *

(10) Spec. 1F 1G, or 1H (§§ 78.10, 78.11, or 78.13 of this chapter) Polyethylene carboys in wooden boxes, plywood drums, or metal crates.

(11) Spec. 6J (§ 78.100 of this chapter) Steel barrels or drums having inside spec. 2S (§ 78.35 of this chapter) polyethylene drum. Gross weight restriction indicated by the gross weight embossment in the steel barrel or drum shall be waived.

SUBPART F-COMPRESSED GASES; DEFINITION AND PREPARATION

1. In § 73.302 amend the introductory text of paragraph (a) add paragraphs (a) (7) and (8) (18 F R. 3136, June 2, 1953) (15 F R. 8325, Dec. 2, 1950) (49 CFR 1950 Rev., 1954 Supp., 73.302) to read as follows:

§ 73.302 Exemptions for compressed gases. (a) Compressed gases, except poisonous gases as defined by § 73.326 (a) when in accordance with either subparagraphs (1) (2) (3) (4), (5) (6) (7) or (8) of this paragraph, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, highway, and carriers, by water, except that shipments by water carrier shall be subject to the marking requirements to the extent of showing the name of the contents on the packages.

(7) Inside nonrefillable metal containers charged with a solution containing biological products and compressed gas or gases, which is nonpoisonous and and nonflammable, and of capacity not to exceed 31.83 cubic inches (17.6 fluid ounces) Pressure in the container not to exceed 55 pounds per square inch absolute at 70° F., and the liquid content of the product and gas must not completely fill the container at 130° F One completed container out of each lot of 500 or less, filled for shipment, must have been heated until content reached a minimum temperature of 130° F., without evidence of leakage, distortion, or other defect.

(8) Electronic tubes of not more than 30 cubic-inch volume charged with gas to a pressure of not more than 35 pounds per square inch gauge.

2. In § 73.314 paragraph (a) table, amend the entry "Dispersant gas, n. o. s." add the entry "Refrigerant gas, n. o. s." and add Note 19 (20 F. R. 8103, Oct. 28, 1955) (19 F. R. 8528, Dec. 14, 1954) (15 F R. 8329, Dec. 2, 1950) (49 CFR 1950 Rev., 1954 Supp., 73.314) to read as follows:

§ 73.314 Compressed gases in tank cars. (a) * *

Kind of gas	Maximum permitted filling den- sity, Note 1	Required type of tank car, Note 2
Dispersant gas, n. o. s.	Note 16	ICC-103A500, 163A500X, Notes 12 and 19, ICC-105A300, 105A300-W, Notes 12 and 10.
Refrigerant gas, n. o. s.	Note 16	ICC-105A500, 10 3A500X, Notes 12 and 19, ICC-105A500, 10 7A500-W, Notes 12 and 10.

Nore 19: Only dichlerediflugramethere, dichloredifluoremethane-difluoreethane misture (constant boiling mixture), dichloredifluoromethane-monofluorotrichistomethano mixture, difluoroethane, difluoromonochloro-ethane, monochlorodifluoromethane, and monochlorotetrafluoroethane may be chipped as dispersant gas, n. o. c. or refrigerant ga n. o. s. in accordance with provisions of table (a).

SUBPART G-POISONOUS ARTICLES; DEFINITION AND PREPARATION

1. Amend § 73.354 paragraph (a) (5) (20 F. R. 8103, Oct. 28, 1955) (49 CFR 73.354, 1950 Rev.) to read as follows:

§ 73.354 Motor fuel antil:nocl: compound or tetraethyl lead. (a) " " (5) MC 330 (§ 78.336 of this chapter)

(see Note 1). Tank motor vehicles.

 Nore 1. MC 300, MC 301, MC 303, or MC 303 (§§ 78.321, 78.322, 78.323, or 78.324 of this chapter) tank motor vehicles in motor fuel antiknock compound service prior to October 1, 1955 may be continued in cervice.

2. Amend § 73.359 paragraph (a) (4) (17 F R. 4295, May 10, 1952) (49 CFR 1950 Rev., 1954 Supp., 73.359) to read as follows:

§ 73.359 Hexaethyl tetraphosphate mixtures, methyl parathion mixtures, parathion mixtures, tetraethyl dithic pyrophosphate mixtures, and tetraethyl pyrophosphate mixtures, liquid. (a) * * *

(4) Spec. 15A, 15B, 15C, or 15E (§§ 78.-163, 78.169, 78.170, or 78.172 of this chap-Wooden boxes, with metal inside ter) containers not over 10 gallons capacity each.

SUBPART H-MARKING AND LABELING EX-PLOSIVES AND OTHER DANGEROUS ARTICLES

3. Amend § 73.407 paragraphs (b) (1) (2), and (3) (20 F.R. 8104, Oct. 28, 1955) (49 CFR 73.407, 1950 Rev.) to read as

§ 73.407 Acids, corrosire liquids, and alkaline caustic liquids labels. * * *

(b) ° ° °

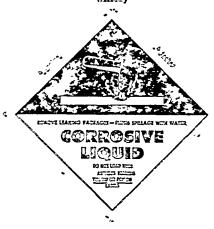
(1) White label for acids for shipment by air.

(White and black with black printing on white)



for shipment by air.

(White and black with black printing on white)



(3) White label for alkaline caustic liquids for shipment by air.

(White and black with black printing on white)



4. Amend § 73.410 paragraph (b) (20 F. R. 8104, Oct. 28, 1955) (49 CFR 73.410, 1950 Rev.) to read as follows:

§ 73.410 Special fireworks label. * * * (b) Explosives label for shipment of special fireworks by air.

(Black printing on red)

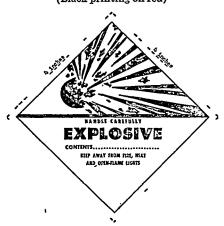


5. Amend § 73.411 paragraph (b) (20 (2) White label for corrosive liquids F.R. 8104, Oct. 23, 1955) (49 CFR 73.411, 1950 Rev.) to read as follows:

§ 73.411 Explosives samples for lab-oratory examination label. * * *

(b) Explosives label for shipment of samples of explosives by air.

(Black printing on red)



6. Amend § 73.412 paragraph (b) (20 F R. 8104, Oct. 28, 1955) (49 CFR 73.412, 1950 Rev.) to read as follows:

§ 73.412 Propellant explosives label for express shipment. * * * *

(b) Explosives label for shipment of propellant explosives by air.

(Black printing on red)



7. In § 73.414 paragraph (a) the entire 8th line within the label now reading. "Radiation units from package No. __", 1s amended to read "Number of radiation units from package ____" (15 F R. 8343, Dec. 2, 1950) (49 CFR 73.414, 1950 Rev.)

SUBPART I-SHIPPING INSTRUCTIONS

Amend § 73.427 paragraph (a) (15 F R. 8343, Dec. 2, 1950) (49 CFR 73.427, 1950 Rev.) to read as follows:

§ 73.427 Shipping order and bill of lading description. (a) The shipper when offering for transportation by carriers by rail freight, rail expenses, highway, or water any class A, class B, or class C explosive, flammable liquid, flammable solid, oxidizing material, corrosive liquid, compressed gas, or poison, as defined by this part, must describe such article in the shipping order, bill of lading or other shipping paper by the shipping name used in § 72.5 of this chapter (see commodity list) and may add a fur-

ther description not inconsistent therewith. Abbreviations must not be used. For shipments of blasting caps or electric blasting caps the shipper must, in addition, show the number of caps in the shipment.

[Note 1 remains unchanged.]

Part 74—Carriers by Rail Freight

*

SUBPART B-LOADING AND STORAGE CHART OF EXPLOSIVES AND OTHER DANGEROUS

1. In § 74.538 paragraph (a) Chart, the second paragraph of the introductory text in the upper left-hand corner now reading, "The letter X at an intersection of horizontal and vertical columns shows that these articles must not be loaded or stored together, for example: Detonating fuzes, boosters (explosive) g horizontal column must not be loaded or stored with high explosives b vertical column" is amended to read as follows: "The letter X at an intersection of horizontal and vertical columns shows that these articles must not be loaded or stored together, for example: Detonating fuzes class A, with or without radioactive components g horizontal column must not be loaded or stored with high explosives b vertical column" amend item (d) and item (11) vertical and horizontal columns by inserting the footnote "e" at the respective intersections, to read "a X" amend footnote "e" to paragraph (a) Chart (15 F R. 8349, Dec. 2, 1950) (19 F. R. 1281, Mar. 6, 1954) (49 CFR 1950 Rev., 1954 Supp., 74.538) to read as follows:

§ 74.538 Loading and storage chart of explosives and other dangerous articles. (a) * *

Does not include nitro carbo nitrate which may be loaded, transported or stored with high explosives or with blasting caps and detonating primers.

2. Amend § 74.546 paragraph (b) (15 F R. 8351, Dec. 2, 1950) (49 CFR 74.546, 1950 Rev.) to read as follows:

§ 74.546 Placards must be standard. * * *

(b) Tagboard placards must be printed on strong tagboard of quality and strength not less than that designated commercially as 100 percent sulphate, weighing 125 pounds per ream, of sheets 24 x 36 inches, and having a resistance of not less than 60 pounds per square inch Mullen test.

PART 77-SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CAR-RIERS BY PUBLIC HIGHWAY

SUBPART B-LOADING AND UNLOADING

Amend § 77.835 paragraph (f) (17 F R. 7283, Aug. 9, 1952) (49 CFR 1950 Rev., 1954 Supp., 77.835) to read as follows:

§ 77.835 Explosives. * * *

(f) Explosives vehicles, floors tight and lined. Motor vehicles transporting tight floors; shall have that portion of the interior in contact with the load lined with either non-metallic material or non-ferrous metals, except that the lining is not required for truck load shipments loaded by the Departments of the Army, Navy or Air Force of the United States Government provided the explosives are of such nature that they are not liable to leakage of dust, powder, or vapor which might become the cause of an explosion. The interior of the cargo space must be in good condition so that there will not be any likelihood of containers being damaged by exposed bolts, nuts, broken side panels or floor boards, or any similar projections.

SUBPART C-LOADING AND STORAGE CHART OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

In § 77.848 paragraph (a) Chart, the second paragraph of the introductory text in the upper left-hand corner now reading, "The letter X at an intersection of horizontal and vertical columns shows that these articles must not be loaded or stored together, for example: Detonating fuzes, boosters (explosive) g horizontal column must not be loaded or stored with high explosives b vertical column" is amended to read as follows: "The letter X at an intersection of horizontal and vertical columns shows that these articles must not be loaded or stored together, for example: Detonating fuzes class A, with or without radioactive components g horizontal column must not be loaded or stored with high explosives b vertical column"; amend item (d) and item (11) vertical and horizontal columns by inserting the footnote "e" at the respective intersections, to read "a • X" · amend footnote "e" to paragraph (a) Chart (15 F R. 8369, Dec. 2, 1950) (19 F R. 1281, Mar. 6, 1954) (49 CFR 1950 Rev., 1954 Supp., 77.848) to read as follows:

§ 77.848 Loading and storage chart of explosives and other dangerous articles. (a)

· Does not include nitrocarbonitrate which may be loaded, transported or stored with high explosives or with blasting caps and detonating primers.

PART 78—SHIPPING CONTAINER SPECIFICATIONS

SUBPART A-SPECIFICATIONS FOR CARBOYS, JUGS IN TUBS, AND RUBBER DRUMS

Add § 78.13 (15 F R. 8379, Dec. 2, 1950) (49 CFR 78.13, 1950 Rev.) to read as follows:

§ 78.13 Specification 1H, polyethylene carboys in low carbon steel or other equally efficient metal crates.

§ 78.13-1 Compliance. (a) Required in all details.

§ 78.13-2 Capacity and marking of carboy. (a) Containers 5 to 13 gallons capacity are classed as carboys. Actual capacity must be the marked capacity plus 5 percent minimum. Must be permanently marked to indicate capacity. class A or class B explosives shall have maker, month and year of manufacture;

Bureau of Explosives.

§ 78.13–3 Polyethylene carboys. (a) Carboys shall be made of polyethylene with no plasticisers or additives and have a maximum melt index value of 2.5 grams per 10 minutes as determined in accordance with method acceptable to the Bureau of Explosives. Carboys must have a minimum weight and wall thickness in accordance with the following table:

Marked capacity	Minimum Wall thickness	Minimum weight of bottles
Gallons	Inch	Pounds
5	Mo	3
6½	Mo	4
13	Mo	8

- (b) Closing device shall be of material resistant to the lading and adequate to prevent leakage.
- (c) Polyethylene carboys, as manufactured and filled to marked capacity with a material which remains in a liquid form, shall be capable of withstanding a 4-foot drop without leakage, after prior conditioning for 24 hours to at least -10° F. or lower, onto solid concrete so as to strike diagonally on the bottom corner.
- § 78.13-4 Outside containers. Metal crates:
- Specifications for each size outside container must be filed by each plant prior to start of production and be approved by the Bureau of Explosives.
- § 78.13-5 Marking of outside container (a) Each outside container must be plainly marked by attachment of a metal plate, or permanent marking in contrasting color directly on the polyethylene carboy in a visible area. Markmg must be in letters and figures at least 34 inch high and must be by embossing or stamping when applied on metal plates. Marking must be as follows:
- (1) ICC-1H. This mark shall be understood to certify that the complete package complies with all specification requirements.
- (2) Name or symbol (letters) of company setting up the package, or other party assuming responsibility for its compliance with the specification requirements; this must be registered with the Bureau of Explosives and located just above or below the mark specified in paragraph (a) (1) of this section.
- § 78.13-6 Tests. (a) One sample, taken at random and with inner container filled to marked capacity with water and closed as for use, shall be capable of withstanding prescribed tests without leakage or serious rupture of outer container. Tests shall be made of each size by each company starting production. The type tests are as follows:
- (1) Complete package must be capable of withstanding 2 drops from a height of 4 feet onto solid concrete, the

mark of maker to be registered with the first drop to be made diagonally so top corner will strike the concrete: the second drop onto a 2-inch by 6-inch timber resting on the concrete with the G-inch leg vertical, the drop being made with the package in a horizontal position and at right angles to the timber co that impact is near the center of the crate side-wall members.

> SUBPART B-SPECIFICATIONS FOR INSIDE CONTAINERS, AND LIMITIES

Add § 78.35 (15 F. R. 8381, Dec. 2, 1950) (49 CFR 78.35, 1950 Rev.) to read as follows:

- § 78.35 Specification 2S; polyethylene drums. Removable head containers not authorized.
- § 78.35-1 Compliance. (a) Required in all details.
- § 78.35-2 Material. (a) Drums shall be made of polyethylene with no plasticisers or additives and have a maximum malt index value of 2.6 grams per 10 minutes, as determined in accordance with method acceptable to the Bureau of Explosives. Other materials of adequate chemical resistance and strength are authorized.
- § 78.35-3 Construction and capacity. (a) Drums must be constructed in accordance with the following table:

Comesite	Minimum thickness			
Capacity not over (gallens) 1	Side wall and bottom head (meh)	Top b nd ? (meh)		
5 15 39 65	100 100 123 23	100		

- Actual capacity plus 5 percent permitted. Head containing openings.
- (b) Polyethylene drum must fit snugly ın outside container.
- § 78.35-4 Closures. (a) Closing devices must be of screw thread type or fastened by positive means and be of material resistant to the lading and adequate to prevent leakage.
- (b) Openings over 2.3 inches in diameter not permitted.
- § 78.35-5 Test. (a) Samples taken at random, filled to 98 percent of capacity with water, and closed as for use, must be capable of withstanding the following test without leakage:
- (1) Test by dropping from a height of 4 feet onto solid concrete so as to strike diagonally on top chime or on any part considered to be weaker.

SUPPART C-SPECIFICATIONS FOR CYLINDERS

Amend § 78.38-10 paragraph (a) (15 F.R. 8387, Dec. 2, 1950) (49 CFR 78.28-10, 1950 Rev.) to read as follows:

- § 78.38 Specification 3B; seamless steel cylinders.
- § 78.38-10 Wall thickness. (a) The wall stress shall not exceed 24,000 pounds per square inch. Minimum wall 0.090" for any cylinder over 6" outside diameter.
- SUBPART D-SPECIFICATIONS FOR METAL DARRELS, DRUMS, MIGS, CASES, TRUMMS AND COMES
- 1. In § 78.100-5 paragraph (a) table, amend the second column heading by inserting footnote 2 after the last parenthetical mark: add footnote 2 to paragraph (a) table; amend \$78,100-7 paragraph (b) (15 F. R. 8445, Dec. 2, 1950) (49 CFR 78,100-5, 78,100-7, 1950 Rev.) to read as follows:
- § 78.100 Specification 6J; steel barrels and drums.
- § 70.100-5 Parts and dimensions. (a)

Authorized gross weight (pounds).

Drums must be manufactured in accordance with gauge requirements for capacity of drum as prescribed in § 78.100-5 except that weight restriction indicated by the gross weight embecoment chall be waived when container is used in conjunction with a com-posite package having an inside spec. 28 (§ 78.35 of this chapter) polyethylene drum.

§ 78.100-7 Closures. * * *

(b) Closing part (plug, cap, plate, etc., see Note 1) must be of metal as thick as prescribed for head of container (see Note 2) this not required for containers of 12 gallons or less when the opening to be closed is not over 2.3 inches in diameter. If unthreaded cap is used, it must be provided with outside sealing devices which cannot be removed without destroying the cap or sealing device.

INo change in Note 1.1

Nore 2: Drums may have not more than two holes in a removable head to accommodate protruding flanges and closures when used in conjunction with spec. 28 (§ 78.35 of this chapter) polyethylene drum.

- 2. Amend § 78.101-5 paragraph (a) table (15 F R. 8445, Dec. 2, 1950) (49 CFR 78.101-5, 1950 Rev.) to read as follows:
- § 78.101 Specification 6K, steel barrels or drums.
- § 78.101-5 Parts and dimensions. (a)

Marked capac- ity not over (gallens) Authorized grees weight (pounds)		neroin t		Minimum third need in the blue		he black]	Rolling boor	3
	Type of container	(gauge United States etandard)			Malmum				
		Bely chies	Head thesi	Tyra	er ne. 1980 1980 1980	Weight (pounds parings)			
65	4\$0	Straight cide	15	13	1-tar :	%x1%i	1,23		

Rolled or swedged in hopes.

SUBPART F—SPECIFICATIONS FOR FIBEREOARD BOXES, DRUMS, AND MAILING TUBES

1. In § 78.205-9 amend the introductory text of paragraph (a) add paragraph (c) (3) to § 78.205-17 add § 78.-205-32 paragraph (a) (20 F R. 8109, Oct. 28, 1955) (18 F. R. 5277, Sept. 1, 1953) (15 F R. 8476, Dec. 2, 1950) (49 CFR 1950 Rev., 1954 Supp., 78.205-9, 78.205-17, and 78.205-32) to read as follows:

§ 78.205 Specification 12B; fiberboard boxes.

§ 78.205-9 Types authorized. (a) To be of solid or corrugated fiberboard of the following types, or as specifically provided for in § 78.205-19 to § 78.205-32:

§ 78.205-17 Closing for shipment.

(c) * * *

(3) Telescope boxes having equal depth sections may be closed by application of reinforced water activated tape or pressure sensitive tape under conditions and for commodities as prescribed in Part 73 of this chapter.

§ 78.205-32 Special box; authorized only for electrolyte (acid) corrosive battery fluid, or hydrochloric acid mixtures of not over 28 percent strength. (a) Box shall have not more than 12 inside glass bottles, with acid-proof closures, of not over 32 ounces capacity each. Box shall comply with this specification and be constructed of at least 275-pound test (Mullen or Cady) double-wall corrugated fiberboard and be equipped with at least 125-pound test (Mullen or Cady) doublefaced corrugated fiberboard scored sheets so designed as to provide two thicknesses of corrugated fiberboard between each bottle and one thickness between bottles and sides and ends of box. Top and bottom pads of the same size as the top and bottom area of the box and of at least 125-pound test (Mullen or Cady) double-faced corrugated board are required or box shall comply with this specification and be constructed of at least 325-pound test (Mullen or Cady) double-faced corrugated board and be equipped with at least 200-pound test (Mullen or Cady) corrugated fiberboard ½ inch extended cell slotted partitions so designed as to provide a void space between the ends and sides of outside box and the inside cell partition and shall be provided with top and bottom pads, of the same area as the box, of at least 200pound test (Mullen or Cady) doublefaced corrugated fiberboard.

2. Amend § 78.218-3 paragraph (a) (15 F R. 8480, Dec. 2, 1950) (49 CFR 78.218-3, 1950 Rev.) to read as follows:

§ 78.218 Specification 23G; special cylindrical fiberboard box for high explosives.

§ 78.218-3 Side walls, ends, and interior (a) Side walls. To be not less than four-ply of continuous fiber sheets convolutely or spirally wound; combined strength to be not less than 300 pounds, dry combined thickness to be not less than 0.050" for containers not exceeding 10 pounds gross weight and not less

than 0.060" for containers over 10 pounds gross weight.

SUBPART H—SPECIFICATIONS FOR PORTABLE TANKS

Amend the heading of § 78.250; amend § 78.250-2 paragraphs (a) and (b) amend § 78.250-4 paragraph (b) (20 F R. 955, Feb. 15, 1955) (49 CFR 78.250, 78.250-2, 78.250-4, 1950 Rev.) to read as follows:

§ 78.250 Specification 55; metal-encased, lead or uranum metal-shielded, radioactive materials container

§ 78.250-2 Requirements for design and construction. (a) Lead or uranium metal shield to be encased in mild steel or equally fire resistant metal of minimum wall thicknesses as follows:

(1) One-eighth (1/6") thick for not more than 6 inches of lead or uranium metal (see Note 1)

.(2) One-fourth mch (¼") thick for more than 6 inches of lead or uranium metal (see Note 1)

Note 1. Thickness of lead to be measured from outer edge of source cavity to nearest point on outer container wall.

(b) Lead or uranium metal shield to be completely encased so that molten lead or uranium metal will not flow away or lose its shielding efficiency if involved in a fire. The shield must be supported in the outer container in such manner that it cannot change position under any ordinary conditions. Parts of the shield must be so designed that radiation cannot be "beamed" at point where sections join (offset design required)

§ 78.250-4 Closures. * * *

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(b) Lead or uranium metal shielding forming part of closing device must be completely encased in mild steel or equally fire-resistant metal.

SUBPART I-SPECIFICATIONS FOR TANK CAUS

Amend § 78.336-1 paragraph (c) add paragraph (c) to § 78.336-2 (20 F R. 8115, 8116, Oct. 28, 1955) (15 F R. 8556, Dec. 2, 1950) (49 CFR 78.336-1, 2, 1950 Rev.) to read as follows:

§ 78.336 Specification MC 330; steel cargo tanks.

§ 78.336-1 Requirements for design and construction. * * *

(c) On and after August 31, 1953, every uninsulated cargo tank permanently attached to a tank motor vehicle shall, unless it be constructed of aluminum, stainless steel, or other bright nontarnishing metal, be painted all over a white, alumium, or similar reflecting color.

§ 78.336-2 Material. * * *

(c) All plates for tank, manway nozzle and anchorage of tanks used in the transportation of chlorine must be made of steel complying with requirements of. A. S. T. M. Specification A-300-52T titled "Steel Plates for Pressure Vessels for Service at Low Temperatures", Class 1, Grade "A", flange or fire box quality. Impact test specimens made by the plate manufacturer shall be of the Charpy Keyhole notch type and must meet impact requirements (in both longitudinal and transverse directions of rolling) of this specification at a temperature of minus 50° F

Appendix

Section	Reason for Amendment
72.5, Commodity List	Provides additions and amendments to keep commodity list on a current basis.
73.33 (k) (11)	To provide retest for recently adopted MC-304 tank motor vehicle.
73.65 (b)	To provide specification containers for amatol of a specific mixture.
	To provide additional packing for jet thrust units, Class B, with igniters.
	To shift trick matches and cigarette loads to another classification.
73,100 (x)	To redefine cigarette loads and trick matches as Class C explosives.
	To provide specification packaging for cigarette loads and trick matches.
	To clarify the definition of flammable liquids.
	To allow MC 304 tank motor vehicle for the transportation of flammable liquids.
	To provide Spec. 6K metal barrel or drum for flammable liquids with flash point above 20° F. to 80° F.
73.119 (e) (3), (f) (5)	To allow MC 304 tank motor vehicle for the transportation of flammable liquids exceeding certain vapor pressures.
73.119 (k) (2)	To provide Spec. 42F metal barrel or drum for viscous flam- mable liquids.
73.125 (a) (5)	To provide for the use of additional Spec. 6J steel barrel or drum for alcohol.
73.141 (a) (8)	To provide for the use of MC 330 tank motor vehicle for certain mercaptans.
73.145 (a) (4) and (5)	To provide for the use of Spec. 17H and 42B, metal barrels or drums, and aluminum drums, respectively, for unsymmetrical dimethylhydrazine.
73.146 (a)	To provide for the transportation of car heaters containing flammable fuel.
73.153 (c) (64)	To permit no exemption for sodium potassium alloys.
	To clarify that some ammonium nitrate-phosphates are not
(")"""	dangerous articles.

Section	Reason for Amendment
73.190 (b) (3)	To provide for the application of bottom washout needle on Spec. 103 or 103-W tank cars in phosphorus service.
* * * * * * * * * * * * * * * * * * * *	To provide for the use of Spec. 5A metal barrel or drum for
73.245 (a) (15) and (16)	To provide for the use of Spec. 17H and 6J metal drums, and steel barrels or drums, for acids or other corrective liquids
73.247 (a)	steel barrels or drums, for acids or other corrective liquids not specifically provided for. To provide for the transportation of chromyl chloride.
	To provide certain specification containers specifically for chromyl chloride. To provide for the use of Spec. 12B fiberboard box for electro-
	lyte (acid) or corrosive battery fluid. To provide a standardization to be made for batteries of
	various heights. To provide for the use of Spec. 1F, carboy, for hydrobromic acid.
73.263 (a).(13), (16), (17)_	To provide additional specification containers for the chipment of certain acids.
	To provide a means for shipping high strength hydrofluoric acid.
* * * *	To provide for the use of Spec. 6J steel barrels or drums for hydrofluoric acid.
	To provide for the use of Spec. 6J steel barrels or drums for hydrofluosilicic acid.
	To provide additional containers for hydrogen peroxide colution in water.
73.272 (i) (5), (6)	To provide additional container for sulfuric acid.
73.285 (a) (2)	To provide additional containers for hypochlorite colutions. To authorize the shipment of chlorine trilluoride in non-
•	specification cylinders equal to or of greater efficiency than those already prescribed.
73.289 (a) (10), (11)	To provide additional containers for formic acid and formic acid solutions.
• •	To make reference to paragraphs (a) (7), (8) which are added to section.
	To eliminate the 100% heat bath test requirement, which destroys the properties of certain biological products.
73.302 (a) (8)	To exempt shipments of certain electronic tubes.
73.314 (a) Table	To provide for commodity stencilling of genetron and from,
73.354 (a) (5)	or mixtures thereof, without the use of the trade names. To prevent use of tanks having insufficient shell this iness.
	To provide for the use of Spec. 15E, wooden box for various poisonous liquids.
73.410 (b), 73.411 (b),	To revise loading instructions on labels, requested by air officials, to conform with international regulations.
73.412 (b). 73.414 (a)	Clerification
	To clarify requirement that total number of electric blasting
• •	caps must be shown on shipping papers. To be consistent with other provisions of chart, and for
	clarification. To properly describe commercial tagboard in heaping with
77.835 (f)	present day practices. To exempt truck lining requirement for certain shipments of
	class A or class B explosives loaded by the Departments of the Army, Navy or Air Force.
	To be consistent with other provisions of the chart and for clarification.
78.13	To provide for the construction of Spec. 1H polyethylene carboys in low carbon steel or other equally efficient metal crates.
78.35 73.38-10 (a)	To provide for the construction of Spec. 2S polyethylene drums. To provide a minimum wall thickness of .030" for any 3B
	cylinder over 6" outside diameter. To waive weight restriction of container under certain
note-2	conditions. To permit holes in drum heaed when drum is used in con-
78 101_5 (a) Table	junction with Spec. 2S. To provide for alternate construction of rolling hopes.
78.205-9 (a)	To provide for an additional special box.
78 205-17 (c) (3)	To provide for additional method of closure. To provide for the construction of a special box authorized for
	certain corrosive liquids. To provide a thinner material for small size explication
-78 950 Heading: 78 950-9	containers. To provide for the use of uranium metal as an additional
(a) (b) 78.250-4 (b).	shielding material for radioactive shipments.
78.336-1 (c), 78.336-2 (c)	To reinstate a requirement erroneously amended in Order 20, and editorial changes.

[F. R. Doc. 55-10157; Filed, Dec. 28, 1955; 8:45 a. m.]

I 49 CFR Part 170 1

PHILADELPHIA, PA., COMMERCIAL ZONE DEFINITION OF EOUNDARY

DECEMBER 20, 1955.

Revision of definition of boundary of Philadelphia, Pa., Commercial Zone heretofore defined in Ex Parte No. MC-6; Philadelphia, Pa., Commercial Zone; 17 M. C. C. 533.

Pursuant to section 4 (a) of the Administrative Procedure Act (60 Stat. 237, 5 U.S. C. 1003) notice is hereby given that, for the purpose of including additional points and areas, which by reason of industrial and other developments and growth have become a part thereof, within the defined limits of the zone which is adjacent to and commercially a part of Philadelphia, Pa., within the meaning of section 203 (b) (8) of the Interstate Commerce Act, the Interstate Commerce Commission, informed by experience and by an informal investigation, proposes to modify and redefine, as hereinafter indicated, the limits of the zone adjacent to and commercially a part of Philadelphia, Pa., as determined in Philadelphia, Pa., Commercial Zone, 17 M. C. C. 533, 49 CFR 170.6 and to revise the description of such zone limits to read as follows:

(a) The area in Pennsylvania included within the corporate limits of Philadelphia and Bensalem, Lower Southampton. Upper Southampton,* Bristol, Middletown, Northampton, and Warminster Townships (including all boroughs within the geographical limits of such townships) in Bucks County-Conchohocken and West Conshohocken, Pa., and Lower Moreland, Abington, Cheltenham, Springfield, Whitemarsh, Lower Merion, Upper Moreland, U Dublin, Lower Gwynedd, Whitpain, Plymouth, and Upper Merion Townships (including all boroughs within the geographical limits of such townships) in Montgomery County Haverford, Rad-nor, Marple, and Springfield Town-ships (including all boroughs within the geographical limits of such townships, in Delaware County; and an area in Delaware County south and east of a line extending southward from the in-tersection of the boundary lines of Marple, Springfield, Upper Providence, and Nether Providence Townships along the eastern boundary of Nether Providence Township to its junction with Pennsylvania Highway 320, thence south along Pennsylvania Highway 320 to the corporate limits of Chester, Pa., thence along the northern limit of Chester m a westerly direction to the eastern boundary of Upper Chichester Township, thence south to the southern boundary of said township, along the eastern boundary thereof, and thence west along the southern boundary of said township, along the countern boundary of said township to the Delayare State line and township to the Delaware State line, and

2 Added by this notice to the zone as originally defined, thereby giving effect to the mileage-population formula which applies generally at most other municipalities.

No. 252-8

all boroughs within the geographical limits of such townships) in Gloucester County. Camden, Gloucester City, Woodlynne, Merchantville, and Palmyra Boroughs and Gloucester,1 Delaware,1 Haddon, and Pennsauken Townships (including all boroughs within the geographical limits of such townships) in Camden County: and Cinnaminson,1

Delran, Moorestown, Willingboro, Edgewater Park, Burlington, Riverside, and Delanco Townships (includthence south along the Delaware State line to the Delaware River, and (b) the area in New Jersey included in West Deptford, Deptford, Greenwich, and ing all boroughs and cities within the geographical limits of such townships)

> No oral hearing is contemplated, but anyone wishing to make representations in favor of, or against, the above-proposed revision of the Philadelphia, Pa., commercial zone, may do so by the submission of written data, views, or arguments. An original and five copies of such data, views, or arguments shall be

filed with the Commission on or before February 1, 1956.

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Notice to the general public of the action herein taken shall be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Division of the Federal Register.

By the Commission, Division 1.

HAROLD D. McCoy. Secretary.

[F. R. Doc. 55-10388; Filed, Dec. 28, 1055; 8:49 a. m.1

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LAND FOR DEPARTMENT OF THE AIR FORCE; CORRECTION

DECEMBER 16, 1955.

Notice of the proposed withdrawal and reservation of land for the Department of the Air Force near Lake Louise in accordance with the application serialized Anchorage 023173 was published in the FEDERAL REGISTER on April 15, 1955 (20 F R. 2467)

The description of the lands involved is hereby amended to read as follows:

LAKE LOUISE RECREATIONAL SITE

(Unsurveyed)

Commencing at USED Station "LOUISE" Latitude 62°17'59" N., Longitude 146°36'02" W., thence N. 71°30'00" E. for a distance of approximately 2340 feet to a point on the southwest shore of Lake Louise near the outlet of Lake Dinty; thence in a Northerly direction along the shore line of Lake Louise for a distance of approximately 615 feet; thence West 800 feet; thence South 336 feet; thence West 160 feet; thence South 370 feet to a point on the southerly edge of an existing road; thence in a Southeasterly direction along said road for a distance of approximately 896 feet to a point on the shoreline of Lake Louise; thence along said shoreline for a distance of approximately 350 feet to the Point of Beginning and containing 15.56 acres, more or less.

> ROGER R. ROBINSON, Operations Supervisor

[F. R. Doc. 55-10365; Filed, Dec. 28, 1955; 8:45 s. m.]

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS; CORRECTION

DECEMBER 20, 1955.

Notice of proposed withdrawal and reservation of lands, dated December 2, 1955, identified as F R. Doc. 55-9856, filed December 7, 1955, 8:49 a. m., and appearing in the FEDERAL REGISTER of December 8, 1955, page 9028, is corrected as follows:

Under Colorado Highway No. 14, Roadside Zone, Poudre Canyon Highway.

T.9 N., R. 74 W., Sec. 31. N¼NE¼ is corrected to read NW¼NE¼.

MAX CAPLAN, State Supervisor

[F. R. Doc. 55-10366; Filed, Dec. 28, 1955; 8:45 a. m.]

CALIFORNIA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

DECEMBER 21, 1955.

The Department of the Navy has filed an application, Serial No. Los Angeles 0107128, for the withdrawal of the lands described below from all forms of appropriation.

The applicant desires the land for the purpose of providing essential aerial gunnery range facilities for the Naval Ordnance Test Station, Inyokern, China Lake, California.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, at Room 801, California Fruit Building, 4th and J Streets, Sacramento 14, California.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate copy will be sent to each interested party of record.

The lands involved in the application

MOUNT DIABLO MERIDIAN

T. 25 S., R. 44 E., partly unsurveyed, Secs. 1 to 4, inclusive; Secs. 9 to 16, inclusive: Secs. 21 to 28, inclusive; Secs. 33 to 36, inclusive. T. 26 S., R. 44 E., partly unsurveyed, Secs. 1 to 4, inclusive; Secs. 9 to 16, inclusive; Secs. 21 to 28, inclusive; Secs. 33 to 36, inclusive. T. 27 S., R. 44 E., unsurveyed, Secs. 1 to 4, inclusive; Secs. 9 to 12, inclusive.

T. 29 S., R. 44 E., Secs. 1 to 3, inclusive; Secs. 1 to 5, inclusive; Secs. 10 to 15, inclusive; Secs. 22 to 27, inclusive; Secs. 34 to 36, inclusive. T. 30 S., R. 44 E., unsurveyed, Secs. 1 to 3, inclusive; Secs. 10 to 15, inclusive; Secs. 22 to 27, inclusive; Secs. 34 to 36, inclusive. T. 31 S., R. 44 E., Secs. 1 to 3, inclusive; Secs. 10 to 15, inclusive; Secs. 22 to 27, inclusive; Secs. 34 to 36, inclusive. T. 32 S., R. 44 E., Secs. 1 to 3, inclusive; Secs. 10 to 15, inclusive; Secs. 22 to 27, inclusive; Secs. 34 to 36, inclusive. T. 25 S., R. 45 E., unsurveyed, Secs. 5 to 8, inclusive; Secs. 16 to 21, inclusive; Secs. 27 to 36, inclusive. T. 26 S., R. 45 E., unsurveyed. T. 27 S., R. 45 E., unsurveyed, Secs. 1 to 6, inclusive. T. 28 S., R. 45 E., unsurveyed, Secs. 31 to 36, inclusive. T. 29 S., R. 45 E., partly unsurveyed. T. 30 S., R. 45 E. T. 31 S., R. 45 E., partly unsurveyed. T. 32 S., R. 45 E., Secs. 1 to 35, inclusive. T. 25 S., R. 46 E., unsurveyed, Secs. 31 to 34, inclusive. T. 26 S., R. 46 E., unsurveyed. T. 27 S., 46 E., unsurveyed, Secs. 1 to 6, inclusive. T. 28 S., R. 46 E., unsurveyed, Secs. 25 to 36, inclusive. T. 29 S., R. 46 E., unsurveyed. T. 30 S., R. 46 E., unsurveyed. T. 31 S., R. 46 E. Secs. 3 to 10, inclusive; Secs. 15 to 22, inclusive; Secs. 27 to 34, inclusive. T. 32 S., R. 46 E., Secs. 3 to 10, inclusive; Secs. 15 to 22, inclusive: Secs. 27 to 30, inclusive.

T. 26 S., R. 47 E., Fractional, partly unsur-

veyed.

T. 27 S., R. 47 E.,

Sec. 16, all, Fractional.

Sec. 16, all Fractional;

Secs. 21, Fractional; Secs. 28 to 30, Fractional;

Secs. 19 and 20;

Secs. 31 and 32;

Sec. 33, Fractional.

T. 28 S., R. 47 E., partly unsurveyed,

T. 29 S., R. 47 E., Fractional, unsurvoyed. T. 30 S., R. 47 E., Fractional, unsurveyed.

¹ See footnote on p. 10071.

All in San Bernardino County, Califormia, containing 374,409.63 acres of date for repayment specified below, or land, more or less.

R. R. Best, State Supervisor

[F. R. Doc, 55-10367; Filed, Dec. 28, 1955; 8;45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service and Commodity Credit Corporation

GRAINS AND RELATED COMMODITIES

NOTICE OF FINAL DATE FOR REDEMPTION UNDER WAREHOUSE-STORAGE LOANS MADE UNDER 1955 PRICE SUPPORT PROGRAMS

Unless earlier demand is made by CCC, warehouse-storage loans under 1955 Price Support Programs on the agricultural commodities designated in the table below mature and are due and payable on the dates indicated. Unless such

date for repayment specified below, or the producer notifies in writing either the ASC county committee or the CSS commodity office serving the area that the funds have been placed in the mail, CCC will purchase the commodities pursuant to the provisions of the note and loan agreement at the higher of (1) the amount of the loan plus interest and charges or (2) the market value as determined by the appropriate CSS commodity office as of the close of the market on the final date for repayment. In the event such market value is in excess of the loan value plus interest and charges, the excess amount will be paid to the producer by the appropriate CSS commodity office.

Notwithstanding the foregoing provisions, if there has been fraudulent representation by the producer in obtaining the loan, the purchase price applicable to such purchase by CCC shall be the market value only.

Commodity Maturity date Final date for recognization of the states of the management of the states of the management of the management of the management of the states of the states

The CSS commodity offices and the areas served by them are shown below.

Chicago 5, Illinois, 623 South Wabash Avenue: Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.

Dallas 26, Texas, 3306 Main Street: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas,

Kansas City 6, Missouri, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 8, Minnesota, 1006 West Lake Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Portland 5, Oregon, 1218 Southwest Washington Street: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

(Sec. 4, 62 Stat. 1070 as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1031; 15 U. S. C. 714c, 7 U. S. C. 1441, 1447, 1421)

Done at Washington, D. C., this 22d day of December 1955.

[SEAL]

L] EARL M. Hughes, President, Commodity Credit Corporation.

[F. R. Doc. 55-10402; Filed, Dec. 28, 1955; 8:53 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MATSON NAVIGATION CO. ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U.S. C. 814.

(1) Agreement No. 8059, between Matson Navigation Company and Westfal-Larsen & Co., A/S, covers the transportation of canned pineapple and juice on through bills of lading from Hawaii to Europe, with transhipment at ports on the Pacific Coast of the United States.

(2) Agreement No. 8061, between American President Lines, Ltd., Barber-Fern-Ville Lines joint service, Blue Funnel Line joint service, Isthmian Steamship Company, Lykes Bros. Steamship Company, Inc., A. P. Moller-Maersk Line joint service, Mitsui Steamship Company, Ltd., Prince Line, Ltd., N. V Stoomvaart Maatschappij "Nederland" Koninklyke Rotterdamsche Lloyd, N. V., and N. V Nederlandsch - Amerikaansche Stoomvaart Maatschappij "Holland-Amerika Lijn" is an arrangement for the apportion-

ment of the carriage of all rubber originating in Siam (excluding Bangkok local rubber) destined to the United States Atlantic and Gulf ports, whether loaded direct at Siam ports or transhipped by road, rail or otherwise, to vessels of the Carriers at ports in Malaya, Kohsichang or Bangkok.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the Federal Registre, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing he desired.

Dated: December 22, 1955.

By order of the Federal Maritime Board.

(SEAL)

A. J. WILLIAMS, Secretary.

[F. R. Doc. 55–10413; Filed, Dec. 23, 1955; 8:55 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11520; FCC 55M-1057]

WESTERN OHIO BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re application of Western Ohio Broadcasting Co., Inc., Greenville, Ohio, Docket No. 11520, File No. BP-9888; for construction permit.

The Hearing Examiner having under consideration a petition for continuance of hearing filed by Western Ohio Broadcasting Co., Inc., on December 21, 1955;

It appearing that the hearing in the above-entitled proceeding is now scheduled to commence on January 3, 1956, but that because of other hearing commitments it will be impossible to commence on that date; and

It further appearing that all the parties now remaining in this proceeding have consented to a grant of this petition and to a waiver of the 4-day rule;

It is ordered, This 22d day of December 1955, that the petition is granted and that the hearing now scheduled for January 3, 1956, is continued to February 1, 1956, at 10:00 a.m., in Washington, D. C.

FIDERAL COMMUNICATIONS COMMISSION,

[SEAL]

Wis. P. Massing, Acting Secretary.

[P. R. Doc. 55-10416; Filed, Dec. 28, 1955; 8:56 a.m.]

[Dacket Noz. 11836, etc.; FCC 55M-1056]

RADIO HERMILIER ET AL.

NOTICE OF PRE-HEARING CONFERENCE

In re applications of Louis Adelman, Norman E. Jorgensen and Seymour Krieger, d/b as Radio Herlamer, Herkimer, New York, Docket No. 11536, File No. BP-9619; Bay State Broadcasting Company (WBSM) New Bedford, Massachusetts, Docket No. 11537, File No. 10074 NOTICES

BP-9649; Western Massachusetts Broadcasting Company (WBEC), Pittsfield, Massachusetts, Docket No. 11538, File No. BP-9653; for construction permits.

A pre-hearing conference in the above-entitled proceeding will be held on Tuesday, January 3, 1956, beginning at 9:30 a.m., in the offices of the Commission in Washington, D. C.

This conference is called pursuant to the provisions of § 1.813 of the Commission's rules, and the matters to be considered are those specified in that section of the rules;

It is so ordered, This the 21st day of December 1955.

FEDERAL COMMUNICATIONS COMMISSION, WM. P MASSING,

[SEAL]

Acting Secretary.

[F. R. Doc. 55-10417; Filed, Dec. 28, 1955; 8:56 a. m.]

CIVIL AERONAUTICS, BOARD

[Docket No. 6247 et al.]

SERVICE TO PHOENIX CASE

NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference is assigned in connection with proposals pending on the Board's docket for the establishment of new or additional air service to Phoenix, Arizona before Examiner James S. Keith on January 16, 1956, at 10:00 a. m., e. s. t., in Room 5855, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C.

At this conference consideration will be given to the consolidation for hearing and decision of part or all of the following applications now pending on the docket of the Board:

Docket No.	Carrier	Description	
6247 (severed from 1841) 2223	Trans World AirlinesFrontier Airlines	Denver-Phoenix-Los Angeles. Salt Lake City-Phoenix via intermediate points. Do.	
5951	Western Air Lines	Denver-Phoenix-San Diego; Salt Lake City- Phoenix-San Diego. Phoenix-San Diego. North-South service.	

Attention is directed to the § 302.12 (b) of the Board's rules of practice which specifies: "A motion to consolidate or contemporaneously consider an application with any other application shall be filed not later than the prehearing conference in the proceeding with which consolidation or contemporaneous consideration is requested, and shall relate only to a then pending application."

In order to facilitate conduct of the conference and in accord with the above rule it is requested that any party desiring to prosecute an application in this proceeding file on or before January 9, 1956 a motion for consolidation with Examiner Keith and/or any new applications for which consolidation may be sought. Copies of such motions should be served on all applicants listed above.

In addition, it is requested that any "request for evidence" be transmitted to the examiner and to the party from whom the evidence is sought on or before January 9, 1956.

January 9, 1956.
Counsel will be expected to state the views of their client with respect to issues discussed during the course of this conference.

Dated at Washington, D. C., December 23, 1955.

[SEAL]

Francis W Brown, Chief Examiner

[F. R. Doc. 55-10418; Filed, Dec. 28, 1955; 8:56 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-3476, G-3477, G-3478, G-8893]

PHILLIPS PETROLEUM Co.

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 23, 1955.

Take notice that Phillips Petroleum Company (Phillips), an independent pro-

ducer with its principal place of business in Bartlesville, Oklahoma, filed on September 27, 1954, applications in Docket Nos. G-3476, G-3477, and G-3478 for certificates of public convenence and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the acts or operations heremafter described.

Phillips delivers and sells casinghead gas produced from three leases located in the Benedum Field, Upton County, Texas, to Pecos Company under the terms of a contract dated July 31, 1953 (Docket No. G-3476; Phillips' Rate Schedule No. 192) a contract dated July 31, 1953 (Docket No. G-3477; Phillips' Rate Schedule No. 193) and a contract dated February 19, 1951 (Docket No. G-3478; Phillips' Rate Schedule No. 194) Daily deliveries total approximately 500 Mcf.

Take notice that Phillips filed on May 11, 1955, an application in Docket No. G-8893 for permission and approval pursuant to section 7 (b) of the Natural Gas Act to abandon the above-described service rendered Pecos Company, or, alternatively, a declaratory order that such authorization is not required. Phillips proposes to deliver and sell such natural gas to Permian Basin Pipe Line Company under the terms of a contract dated February 8, 1952, as amended (Phillips' Rate Schedule No. 193; see Docket No. G-8324) Phillips states that the contracts. set forth above, with Pecos Company, all made on a short-term basis, have been terminated according to their respective provisions, and that it is obligated by contract to deliver to Permian Basin Pipe Line Company all of its casinghead gas in the area which it can economically process.

By order issued March 16, 1955, in Docket Nos. G-3476, G-3477 and G-3478, Phillips' notices of cancellation of rate schedules and requests for withdrawal

of certificate applications covering the above-described sales to Pecos Company were rejected for lack of prior Commission approval pursuant to the provisions of section 7 (b) of the act.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 19, 1956, at 9:30 a.m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such applications: Provided, however That the Commission may, after a noncontested hearing, dispose of the proceeding pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 16th day of January 1956. The application is on file with the Commission for public inspection.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-10410; Filed, Dec. 28, 1955; 8:55 a. m.]

[Docket No. G-7928]

HEYSER & HEARD ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 21, 1955.

Take notice that Heyser & Heard, et al., a partnership (Applicant) whose address is 1408 Life of America Building, Dallas, Texas, filed on December 3, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces gas from the Greta Field, Refugio County, Texas, which they propose to sell to Transcontinental Gas Pipe Line Corporation for transportation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 26, 1956, at 9:30 a.m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.3 or 1.10) on or before January 11, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-10369; Filed, Dec. 28, 1955; 8:46 a.m.]

[Docket No. G-8480]

G. R. WHITTINGTON ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 22, 1955.

Take notice that G. R. Whittington, Fred W. Hagaman and Howard F Saunders, Joint Owners, styling themselves, G. R. Whittington et al. (Applicants), individuals, hereinafter referred to as Applicant, whose address is 604 Amarillo Building, Amarillo, Texas, filed, as operator,1 on February 14, 1955, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act. authorizing Applicant to render service as heremafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas in interstate commerce from production of certain acreage, Sanford (West Panhandle) Field, Moore and Hutchinson Counties, Texas, to Frank C. Henderson Trust No. 2 and Elizabeth P Henderson Trust No. 2 for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Fower Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Monday, January 30, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise adviced, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 9, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-10370; Filed, Dec. 23, 1955; 8:46 a. m.]

[Docket No. G-8837]

P. G. LAKE, INC., ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 21, 1955.

Take notice that P. G. Lake, Inc., et al. (Applicants), whose address is Tyler, Texas, filed on May 13, 1955, an application for a certificate of public convenience and necessity pursuant to exciton 7 of the Natural Gas Act, authorizing Applicant to render service as hercinafter described subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicants produce gas from the Waskom Field, Harrison County, Texas, which they propose to sell to Mississippi River Fuel Corporation for transportation in interstate commerce for recale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by cections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 26, 1956, at 9:30 a.m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or he represented at the hearing.

Protests or patitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 11, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[P. R. Doc. 55-16371; Filed, Dec. 28, 1955; 8:46 a.m.]

[Docket No. G-9863]

PLAINS EXFLORATION CO. ET AL.

NOTICE OF APPLICATION AND DATE OF HEALING

DECEMBER 22, 1955.

Take notice that Plains Exploration Company, a Colorado corporation whose address is 525 University Building, Denver, Colorado, filed, as operator, on June 21, 1955, for itself and on behalf of the following working interest owners: Phil A. Cornell and Glenna J. Cornell; Joe Johnson; Highlander Oil Company Inc., The Kimbark Company, Ltd., Frank M. Ashley and Ben B. Brown; Executors; Phil A. Cornell, Trustee; H. A. Mayor; E: Warren Willard; and Southwest Grease & Oil Co., Inc. (Applicants) an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act. authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicants propose to sell natural gas in interstate commerce from production of certain acreage, Luft Field, Logan County, Colorado, to Kansas-Nebrasha Natural Gas Company, Inc., for resale.

This matter is one that should be dis-

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Fower Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Monday. January 30, 1956, at 9:30 a.m., e. s. t., m a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of section 1.30 (c) (1) or (e) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

¹The non-operator is J. G. Catlett Company.

10076 NOTICES

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 9, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F R. Doc. 55-10372; Filed, Dec. 28, 1955; 8:47 a.m.]

[Docket Nos. G-9106, G-9107]

ROCK ISLAND OIL & REFINING CO., INC.
AND CLYDE BEYMER, JR.

NOTICE OF APPLICATIONS AND DATE
OF HEARING

DECEMBER 22, 1955.

Take notice that Rock Island Oil & Refining Co., Inc., by and through its operator and agent, Clyde Beymer, Jr., and Clyde Beymer, Jr., for himself, Applicants, whose addresses are 321 West Douglas, Wichita 2, Kansas, filed on July 5, 1955, separate applications for a certificate of public convenence and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Applicants propose to sell natural gas in interstate commerce from production of certain acreage, Hugoton Field, Kearny County, Kansas, to Colorado Interstate Gas Company for resale.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Monday, January 30, 1956, at 9:30 a.m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: Provided, however That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 9, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-10373; Filed, Dec. 28, 1955; 8:47 a. m.]

[Docket No. G-9115]

Kansas Natural Gas, Inc.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 22, 1955.

Take notice that Kansas Natural Gas, Inc. (Applicant) a Kansas corporation whose address is 105 West 13th Street, Box 270, Hays, Kansas, filed, as operator on July 7, 1955, and as supplemented on July 15, 1955, an application for a certificate of public convenence and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas m interstate commerce from production of certain acreage, Hugoton Field, Kearny County, Kansas, to Colorado Interstate Gas Company for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Monday, January 30, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 9, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the

intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-10374; Filed, Dec. 28, 1955; 8:47 a. m.]

[Docket No. G-9253 etc.]

MONTANA-DAKOTA UTILITIES CO. ET AL.

NOTICE OF CONTINUANCE OF HEARING

DECEMBER 20, 1955.

In the matters of Montana-Dakota Utilities Co., Docket No. G-9253; Signal Oil and Gas Company, Docket No. G-9228; Amerada Petroleum Corporation, Docket No. G-9190.

Upon consideration of the motion, filed December 19, 1955, by Montana-Dakota Utilities Co. for a continuance of the hearing in the above-designated matters now scheduled for January 10, 1956;

The hearing now scheduled for January 10, 1956, is hereby postponed to February 7, 1956, at 10:00 a.m. in the Commission's Hearing Room, 441 G Street NW., Washington, D. C.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-10375; Filed, Dec. 28, 1955; 8:47 a.m.]

[Docket No. G-9313]

Acco Oil & Gas Co., et al.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 22, 1955.

Take notice that Acco Oil & Gas Company, a Texas Corporation whose address is 500 San Jacinto Building, Houston, Texas, filed, as operator, on September 9, 1955, for itself and on behalf of the following non-operators: Colorado Oll and Gas Corporation and Amurex Oil Development Company (Applicants), an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicants propose to sell natural gas in interstate commerce from production of certain acreage, Bonus Field, Wharton County, Texas, to Tennessee Gas Transmission Company for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Monday, January 30, 1956, at 9:30 a. m.,

¹The operator has no percentage interest in the unit involved. The nonoperators are Mrs. Ross Beach, Jr., and Mrs. Paul Ward.

e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 9, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-10376; Filed, Dec. 28, 1955; 8:47 a. m.]

[Docket No. G-9315]

COLORADO-WYOLING GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 21.-1955.

Take notice that Colorado-Wyoming Gas Company, Applicant, filed an application on September 12, 1955, for a certificate of public convenience and necessity authorizing the construction and operation of two farm taps along its existing natural gas pipeline system to sell gas for resale to Applicant's existing resale customer, Public Service Company of Colorado (Public Service) subject to the jurisdiction of the Commission all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to install one of the farm taps on its existing 6-inch Greeley-Loveland lateral in Larimer County, Colorado, at an approximate cost of \$75 to deliver an estimated 310 Mcf annually and 3 Mcf on a peak day to supply the requirements of Public Service's customer Henry Weber and Byron Goodwin.

Applicant proposes to install the other taps in Jefferson County, Colorado, on its Arvada-Cheyenne main line at an approximate cost of \$75 to deliver an estimated 1,290 Mcf annually and 13 Mcf on a peak day to supply the requirements of Public Service's customer, Broomfield Heights Water Treatment Plant.

The cost of the above proposed facilities will be paid out of Applicant's funds on hand,

The gas involved will be sold to Public Service under Applicant's FPC Gas Tariff (Schedule G-1)

This matter is one that should be disposed of as promptly as possible under

the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 25, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 10, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. Gutride, Acting Sceretary.

[F. R. Dec. 55-10377; Filed, Dec. 28, 1935; 8:47 a. m.]

[Docket Nos. G-9564, G-9565]

CITIES SERVICE GAS CO. AND DAVIDOR AND DAVIDOR

NOTICE OF APPLICATIONS AND DATE OF HEARING

December 21, 1955.

Take notice that (1) Cities Service Gas Company, a Delaware corporation with a principal office in Oklahoma City, Oklahoma, filed on October 27, 1955, an application for a certificate of public convenience and necessity authorizing the construction and operation of 3.3 miles of 65%-inch pipeline and 0.5 mile of 41/2-inch pipeline, together with a meter setting and appropriate appurtenances thereto; the larger line to extend in a Southerly direction from Applicant's existing 26-inch pipe line in the NW/4 of Section 6-27N-16W to a point in the NW/4 of Section 19-27N-16W at which point it will connect with the 4½-inch pipeline and extend Eastward to the NE/4 of Section 19-27N-16W, all in Woods County, Oklahoma, subject to the jurisdiction of the Commission, and more fully described in the application on file with the Commission in Docket No. G-9564, and open for public inspection; and (2) Davidor and Davidor, a partnership, with a principal office in Oklahoma City, Oklahoma, filed on October 27, 1955, an application for a certificate of public convenience and necessity authorizing the sale of natural gas in interstate commerce to Cities Service Gas Company for recale, subject to the jurn-diction of the Commission, and as more fully described in the application filed at Docket No. G-9565, and open to public inspection.

Applicant at Docket No. G-9564 proposes to construct and operate facilities for the taking of natural gas from the Applicant in Docket No. G-9565; and Applicant in Docket No. G-9565 proposes to produce natural gas in the Teagarden Field, Woods County, Oklahoma, and sell it in interstate commerce to Cities Service Gas Company for resale.

These related matters should be heard on a consolidated record and disposed of as promotly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the juricdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's fules of practice and procedure, a hearing will be held on January 24, 1956, at 9:40 a. m., e. s. t., m a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (13 CFR 1.8 or 1.10) on or before January 13, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

[SEAL]

J. H. Guteide, Acting Secretary.

[P. R. Dat. 55-10378; Filed, Dat. 28, 1955; 8:47 a. m.]

[Project No. 2009]

VIRGINIA ELECTRIC AND POWER CO.

NOTICE OF APPLICATION FOR AMENDMENT OF LICENSE

DECEMBER 20, 1955.

Public notice is hereby given that Virginia Electric and Power Company on November 15, 1955, filed an application under the Federal Power Act (16 U. S. C. 791a–825r) for amendment of the license for water-power Project No. 2009 located on the Roanolic River in Halifax and Northampton Counties, North Carolina, near the town of Roanolic Rapids, requesting the deletion of the condition contained in paragraph (D) (4) of its license, which reads as follows:

The entire project area, except for such portions as may be received for reasons of

safety and efficient operation, shall be open to free use by the public for the purposes of fishing, hunting, and other recreational pursuits.

The application states that the generality of paragraph (D) (4) is in conflict with specific provisions in paragraph (D) (5) and Article 7 in the license relating to the same subject and prevents their effectuation.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) The last date upon which protests or petitions may be filed is February 15, 1956. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-10379; Filed, Dec. 28, 1955; 8:47 a. m.1

[Project No. 2195]

PORTLAND GENERAL ELECTRIC CO. NOTICE OF APPLICATION FOR LICENSE (MAJOR)

DECEMBER 21, 1955.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S. C. 791a-825r) by Portland General Electric Company, of Portland, Oregon, for license for proposed water-power Project No. 2195, to be known as North Fork Hydroelectric Project and located on Clackamas River in Clackamas County, Oregon, affecting Oregon and California Revested Lands and lands of the United States within Mount Hood National Forest. The proposed project would consist of a concrete arch dam in Section 11, T. 4 S., R. 4 E., W M., to be constructed to elevation 670 feet with two chute spillways having fixed crests at elevation 640 feet and control gates in the spillway sections to raise the reservoir to normal pool elevation 665 feet; a reservoir about 4 miles long containing 7,700 acre-feet usable storage capacity; three steel penstocks through the base of the dam leading to a powerhouse immediately downstream from the dam having initial installation of two units, each consisting of a 34,500 horsepower turbine connected to a 21,750 kilowatt generator and structural provision for ultimate installation of a third unit; a substation and switchyard; transmission facilities; a fish ladder, and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR The last date upon which 1.8 or 1.10) protests or petitions may be filed is February 8, 1956. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE. Acting Secretary.

[F. R. Doc. 55-10380 Filed, Dec. 28, 1955; 8:48 a. m.]

[Docket No. G-6101 etc.] E. Dunlap, Jr., et al.

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 20, 1955.

In the matters of E. Dunlap, Jr. (a partnership) and The State Oil Company, Docket No. G-6101, Mule Creek Oil Company, Docket Nos. G-6102 and G-6104, E. S. Pester, Docket No. G-6103; Piper Petroleum Company, Docket No. G-6105; C. M. Becket, Docket No. G-6106; International Trust Company, Executor of E. E. Brown, Docket No. G-6108; D. W Skelton, Docket No. G-6109. Harper-Turner Oil Company and F E. Harper and Roy J. Turner, Docket No. G-6124; Old Colony Trust Company and James L. Kaufman, Trustee, Docket No. G-6189 H. J. Mosse, Docket No. G-6192; Gulf Oil Corpora-tion, Docket No. G-7146.

Take notice that the above-named Applicants, heremafter referred to singly and collectively as Applicant, filed applications in the above-designated dockets in November 1954, for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to continue to make sales of natural gas and to render service as described, subject to the jurisdiction of the Commission, all as more fully represented in the applications, which are on file with the Commission and open for public inspection.

Applicants produce natural gas from certain gas fields, as shown in the following tabulation, and sell the gas to certam purchasers in interstate commerce for resale.

Docket No., Name of Purchaser Gas Field; County and State

G-6101; Lone Star Gas Company; Fox; Stevens: Oklahoma.

G-6102; Montana-Dakota Utilities Co., Garland; Park; Wyoming.

G-6104; Montana-Dakota Utilities Co., Polecat; Park; Wyoming.
G-6103; Cities Service Gas Company; Hugoton; Kearny; Kansas.

G-6105; Lone Star Gas Company (through

Lindsay Gasoline Plant) · E. Lindsay; Garvin McLain; Oklahoma. G-6106: Arkansas-Louisiana Gas Co., E.

Haynesville; Claiborne; Louisiana. G-6108; Montana-Dakota Utilities Co., Elk

Basin; Park; Wyoming.
G-6109; United Gas Pipe Line Company;
Baxterville; Lamar; Mississippl.
G-6124, G-6189; Cities Service Gas Com-

pany; E. Edmond North; Oklahoma; Okla-

homa. G-6192; Altex Corporation for resale to Texas Gas Transmission Company; Alice and

West Alice; Jim Wells; Texas. G-7146; United Gas Pipe Line Company; Keeran and East Placedo; Victoria; Texas.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and pro-

cedure, a hearing will be held on January 19, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: Provided, however, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear to be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 13, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE. Acting Secretary.

[F R. Doc. 55-10381; Filed, Dec. 28, 1955; 8:48 a. m.]

[Docket No. G-6110, etc.]

ALBERT GACKLE AND BRITISH-AMERICAN OIL PRODUCING CO.

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 20. 1955.

In the matters of Albert Gackle, Operator, Docket Nos. G-6110 to G-6115, incl., and G-6117 to G-6121, incl., British-American Oil Producing Company, Docket Nos. G-6196 to G-6207, incl.

Take notice that the above-named Applicants, hereinafter referred to singly and collectively as Applicant, with their respective places of business located at Fort Worth and Dallas, Texas, filed on November 26 and 29, 1954, applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to continue to render service as described in each respective docketed application, subject to the jurisdiction of the Commission, as more fully represented in the applications on file with the Commission and open to public inspection.

Applicant, Albert Gackle, produces natural gas from the Jalmat Field, Lea County, New Mexico, and sells it in interstate commerce to the El Paso Natural Gas Company and to the Southern Union

Gas Company for resale.

Applicant, British-American Oil Producing Company a Delaware corporation, produces natural gas from various fields in Logan County, Colorado, and sells it in interstate commerce to the Kansas-Nebraska Natural Gas Company for resale. Said Applicant also produces natural gas from the various other gas fields in the counties and states listed below and sells it to the several purchasers named in the list as follows:

Docket No., Name of Purchaser Gas Field; County and State

G-6196; Texas Northern Gas Corporation; S. Bayou Mallet; Acadia; Louisiana.

G-6197; Magnolia Petroleum Company for resale to United Gas Pipe Line Company; Cameron; Cameron; Louisiana.

G-6198; Southern Natural Gas Company; Gwinville; Jefferson; Mississippi.

G-6199; Lone Star Gas Company; NEX Eimore; Garvin; Oklahoma.

G-6200; Cities Service Gas Company; W. Edmond; Oklahoma; Oklahoma.

G-6201; Cities Service Gas Company; W. Edmond; Oklahoma; Oklahoma.

G-6202; United Gas Pipe Line Company; Carthage; Panola; Texas.

G-6203; Tennessee Gas Transmission Corporation; Sheridan; Colorado; Texas. G-6204; El Paso Natural Gas Company;

G-6204; El Paso Natural Gas Company; Fullerton; Andrews; Texas. G-6205; El Paso Natural Gas Company;

G-6205; El Paso Natural Gas Company; Spraberry; Glasscock; Texas.

G-6206; El Paso Natural Gas Company; Payton; Pecos and Ward; Texas.

G-6207; Mississippi River Fuel Corporation; Waskom; Harrison; Texas.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 18, 1956, at 9:30 a. m., e. s. t., m a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: Provided, however That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear to be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 13, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

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J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-10382; Filed, Dec. 28, 1955; 8:48 a.m.]

[Docket Nos. 6840, 6841, 6843-6847]

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 20, 1955.

Take notice that Gulf Oil Corporation (Applicant) a Pennsylvania corporation whose address is P. O. Box 1166, Pittsburgh 30, Pennsylvania, filed on Novem-

ber 30, 1954, applications for certificates of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Applicant sells natural gas in interstate commerce in each of the above captioned dockets from certain leases and units located as hereinafter indicated, to the respective purchaser as hereinafter indicated for resale:

Docket No., Sources of Gas; and Purchasers

G-6840; 30 acre Mattle L. Morris Leace, Fox Field, Carter County, Oklahoma; Lone Star Gas Company.

G-6841; Varying interest in 8 units, Hugoton Field, Kearny County, Kansas; Kansas-Nebraska Natural Gas Company.

G-6843; 80 acre M. P. Slaughter "A" 89 acre M. P. Slaughter, and 80 acre T. M. Williams, Southeast Aylesworth Field, Bryan County, Oklahoma; Lone Star Gas Company.

G-6844; 160 acres of a gas unit, Hugoton Field, Kearny County, Kancas; Colorado Interstate Gas Company.

G-6845; 287.53 acres of a gas unit, Hugoton Field, Kearny County, Kancas; Colorado Interstate Gas Company. G-6846; 160 acres of a gas unit, Hugoton

G-6846; 160 acres of a gas unit, Hugoton Field, Kearny County, Kancas; Colorado Interstate Gas Company.

G-6847; 160 acres of a gas unit, Hugoton Field, Kearny County, Kansas; Colorado Interstate Gas Company.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, January 24, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: Provided, however, That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and pro-Under the procedure herein cedure. provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-10383; Filed, Dec. 28, 1955; 8:48 a. m.]

[Docket No. G-3597 etc.] Elge Rasberry et al.

NOTICE OF APPLICATIONS AND DATE OF HEAPING

DECEMBER 20, 1955.

In the matters of Eige Rasberry, et al., Docket No. G-3597; K. D. Owen, Docket No. G-6350; William Herbert Hunt Trust Estate d/b/a Park Pipe Line, Docket No. G-9030; Southwest Gas Producing Company, Docket No. G-9054; Producers Corporation of Nevada, Docket No. G-9098; H. L. Hunt, Docket No. G-9269; Lenoir M. Josey, Inc., et al., Docket No. G-9321, Transcontinental Gas Pipe Line Corporation (Transco) Docket Nos. G-9362, G-9276; Houston Oil Company of Texas and P. R. Rutherford, Docket No. G-9364; Sinclair Oil & Gas Company, Docket No. G-9424; F. H. Carpenter, et al., Docket No. G-9463.

There have been filed with the Federal Power Commission applications as hereinafter specified:

Decket No., Address and Location of Field G-3537; Iota, Louisiana; Iota Field, Acadia Parish, Louisiana.

G-6330; Espercon Building, Houston, Texas; Greta Field, Refugio County, Texas. G-9330, G-9233; 700 Mercantile Banl: Building, Dallas, Texas; Oberlin Field, Allen Parloh, Louislana.

G-9034; 1369 Louisville Avenue, Monroe, Louisiana; Máxio Field, Acadia Parish, Louisiana.

G-9993; San Antonio, Texas; Tynan Field, Ree County, Texas.

Bee County, Texas.
G-9321; 1768 C & Thife Building, Houston,
Texas; Greta Field, Refugio County, Texas.
G-9364; Houston, Texas; Estherwood
Field, Acadia Parich, Louisiana.

G-9424; Sinclair Oil Building, Tulsa, Oklahoma; Live Oak Field, Vermillion Parish, Louklana.

G-9463; Sourlake, Texas; Sour Lake Field, Hardin County, Texas.

All of the Applicants herein listed, with the exception of Transco and H. L. Hunt in Docket No. G-9269 produce and propose to sell natural gas to Transcontinental Gas Pipe Line Corporation for transportation in interstate commerce for resale.

H. L. Hunt in Docket No. G-9269 proposes to sell natural gas to William Herbert Hunt Trust Estate d/b/a Park Pipe Line for transportation in interstate commerce for resale.

Transco, a Delaware corporation, with its principal place of business at Houston, Texas, filed on September 19, 1955 for a certificate of public convenience and necessity in Docket No. G-9362, authorizing it to construct and operate 2.33 miles of 4-inch pipeline, together with a meter station and appurtenant equipment, extending from the Estherwood Field, Acadia Parish, Louisiana, to Transco's 18-inch Main Line Lateral.

The estimated total cost of the proposed facilities by Transco in Docket No. G-9362 is \$54,500, of which \$38,534 is for the 4-inch line, which cost is to be financed from corporate funds.

Transco in Docket No. G-9276 filed on August 30, 1955, for a certificate of public convenience and necessity authorizing it to construct and operate a 4-inch tap on its existing 20-inch Louisiana Lateral, approximately 15.7 miles south

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of its 30-inch line, to receive approximately 2,000 Mcf of natural gas per day from Elge Rasberry, et al., in the Iota Field, Acadia Parish, Louisiana.

No new or additional service is proposed by Transco in Docket No. G-9276 and the estimated cost for the tap is \$1,300, which is to be financed from corporate funds.

Each has filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicants to render services as hereinbefore described. subject to the jurisdiction of the Commission, all as more fully represented in their respective applications which are on file with the Commission and open for public inspection.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to 'the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 19. 1956, at 9:30 a.m., e. s. f., m a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: Provided, however That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

J. H. GUTRIDE, Acting Secretary.

[F R. Doc. 55-10384; Filed, Dec. 28, 1955; 8:48 a. m.]

[Docket No. G-8459 etc.]

ROBERT MOSBACHER ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 20, 1955.

In the matters of Robert Mosbacher et al., Docket Nos. G-8459 and G-8707: J. R. Meeker, Docket No. G-8578; Gulf Coast Leaseholds, Inc., Docket No. G-8660; Kirkwood and Company, Docket No. G-8797 Mrs. Ola Mae Smith, Docket No. G-8799 · Skelly Oil Company, Docket No. G-8842; Paul R. Davis & Lestor B. Wood, Docket No. G-9036; Carter Jones Drilling Company et al., Docket No. G-

9058: W Earl Rowe et al., Docket No. G-9079; Harry Bass Drilling Company, Docket No. G-9125; Northern Pump Company, Operator, Docket No. G-9144, R. E. Hibbert et al., Docket No. G-9149. Egypt Gas and Gasoline Corporation, Docket No. G-9184, Arkansas Fuel Oil Corporation, Docket No. G-9272; Stanolind Oil and Gas Company, Docket No. G-9308; Texas Eastern Transmission Corporation, Docket No. G-9363; Gilster and Kemp et al., Docket No. G-9418; Hunt Oil Company Docket No. G-9431, R. O. Mangum, Docket No. G-9465, Tide Water Associated Oil Company, Docket No. G-9486; Seaboard Oil Company Docket No. G-9487 Russell Maguire, Docket No. G-9489 Sohio Petroleum Company, Docket No. G-9491, Amerada Petroleum Corporation, Docket No. G-9516; Johnnye Jones Peet, d/b/a Peet Oil Company Docket No. G-9517. J. R. Meeker, Docket No. G-9524, Henrietta Yerger Jones, d/b/a Edwin M. Jones Oil Company, Docket No. G-9533.

Each has filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicants to render services as hereinafter specified, subject to the jurisdiction of the Commission, all as more fully represented in their respective applications which are on file with the Commission and open for public inspection.

Docket No., Address; and Location of Field

G-8459, G-8707; 1640 Bank of Commerce Building, Houston, Texas; Coquat Field, Live Oak County, Texas; West Weesatche Area, Goliad County, Texas.

G-8578; Fort Worth, Texas; Henzie Field,

G-85/8; Fort worth, Lean, Louis, De Witt County, Texas.
G-8660; 639 Gulf Building, Houston,
Texas; Clayton Field, Live Oak County, Texas.
G-8797; Alice, Texas; Barre and Koenig Fields, De Witt County, Texas. G-8799; Norman, Oklahoma; Delhi Field.

Richland Parish, Louisiana.

G-8842; Box 1650, Tulsa, Oklahor Englehart Field, Colorado County, Texas. Oklahoma: G-9036; P. O. Box 4128, Centenary Station,

Shreveport, Louislana; Woodlawn Field, Harrison County, Texas.

G-9058; P. O. Box 1251, Kilgore, Texas; Carthage Field, Gregg, Rusk, and Panola Counties, Texas.

G-9079; 1409 Milam Building, San Antonio, Texas; Henze Field, De Witt County, Texas. G-9144; Fridley, Minnesota; West Cosden Field, Bee County, Texas.

G-9149; 703-704 Bank of Commerce Building, Houston, Texas; Big Hill Field, Jeffer-

son County, Texas. G-9184; 2100 Esperson Building, Houston, Texas; Eldorado Field, Saline County. Illinois.

G-9272; Louisiana; Slattery Building, Shreveport, Greenwood Field, Caddo Parish, Louisiana.

G-9418: Texas Eastern Building, Shreveport, Louisiana; Bethany-Longstreet Field, East Caddo and De Sota Parishes. Louisiana.

G-9431; 700 Mercantile Bank Building, Dallas, Texas; Greenwood-Waskom Field, Caddo Parish, Louisiana.

G-9465; 834 Esperson Building, Houston, Texas; West George West Field, Live Oak County, Texas.

G-9486; San Francisco, California; Nordheim Field, De Witt and Karnes Counties,

G-9487; Continental Building; Nordheim Field, De Witt and Karnes Countles, Texas.

G-9489; 500 Fifth Avenue, New York, New York; Alco-Mag Field, Harris County, Texas, G-9491; Skirvin Tower, Cleveland, Ohio;

Nordheim Field, De Witt and Karnes Counties, Texas.

G-9516; P O. Box 2040, Tulsa, Oklahoma; Meirose Field, Goliad County, Toxas, G-9517; 814 Frost National Bank Building,

San Antonio, Texas; West George West Field, Live Oak County, Texas. G-9524; Fort Worth, Texas; Sunset Field,

Live Oak County, Texas. G-9533; 404 Milam Building, San Antonio, Texas: West George West Field, Live Oak County, Texas.

All of the Applicants hereinbefore listed with the exceptions of Texas Eastern Transmission Corporation (Texas Eastern) in Docket No. G-9363, Harry Bass Drilling Company in Docket No. G-9125, and Stanolind Oil and Gas Company in Docket No. G-9308 produce and propose to sell natural gas to Texas Eastern Transmission Corporation for transportation in interstate commerce for resale.

Harry Bass Drilling Company in Docket No. G-9125, whose principal place of business is 1403 Magnolia Building. Dallas, Texas, produces natural gas from the Melrose Field, Goliad County, Texas, which it proposes to sell to Wilcox Trend Gathering System, Inc., for transportation in interstate commerce for resale.

Applicant, Stanolind Oil and Gas Company, in Docket No. G-9308, whose principal place of business is 511 South Booton Avenue, Tulsa, Oklahoma, produces natural gas from the Northeast Lisbon Field, Claiborne Parish, Louisiana, which it proposes to sell to Hassie Hunt Trust for transportation in interstate commerce for resale,

Texas Eastern Transmission Corporation, a Delaware corporation, with its principal place of business at Shreveport, Louisiana, filed an application on September 19, 1955, in Docket No. G-9363, for a certificate of public convenience and necessity authorizing the construction and operation of 11 miles of 8%-inch pipeline and 8 miles of 10%mch pipeline in Caddo and De Soto Parishes, Louisiana, to enable it to receive approximately 19,600 Mcf of natural gas per day.

The estimated total cost of Texas Eastern's proposed facilities is \$498,000 which will be financed from corporate funds.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 24, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: Provided, however, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the

Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 9, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-10385; Filed, Dec. 28, 1955; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-196, etc.]

MISSION OIL CO. ET AL.

APPLICATION FOR FURTHER EXTENSION OF TIME FOR DISPOSITION BY SINCLAIR OIL CORPORATION OF COMMON STOCK OF SUBSIDIARY

DECEMBER 22, 1955.

In the matter of the Mission Oil Company, Southwestern Development Company, and Subsidiaries and Sinclair Oil Corporation; File Nos. 54-195 and 59-97. In the matter of Albert R. Jones et al., File No. 70-2681.

Notice is hereby given that Sinclair Oil Corporation ("Sinclair"), a registered holding company which is exempt from the provisions of the Public Utility Holding Company Act of 1935 ("act") except sections 9 (a) (2) and 11 (b) (c) and (e) thereof, has filed with this Commission, pursuant to the act, an application requesting a further extension, for a period of six months from December 21, 1955, of the time within which to effect a disposition of its holdings of 384,860.86 shares (52.88 percent) of the common stock of Westpan Hydrocarbon Company ("Westpan") which disposition was provided for in a plan approved by the Commission, pursuant to Section 11 (e) of the act, by order dated December 21, 1951 (Holding Company Act Release No. 10969) as modified and supplemented by order dated December 24, 1953 (Holding Company Act Release No. 12277)

The plan provided, among other things, for the disposition by Sinclair within one year from December 21, 1951, "or such longer time as the Commission may by further order grant," of the common stock of Westpan, a then nonutility subsidiary of Southwestern Development Company, a registered holding Company, received by Sinclair under the provisions of the plan.

The Commission by previous orders has extended until December 21, 1955, the time within which Sinclair might dispose of the common stock of Westpan, the last order being dated June 29, 1955 (Holding Company Act Release No. 12935)

Prior to the entry of the order of June 29, 1955, Sinclair filed with the Commis-

sion, pursuant to Rule U-44 (c) promulgated under the act, a notice of intention to sell its holdings of Westpan stock to Jalco, Inc. ("Jalco") a non-affiliate, under the terms of a contract between Sinclair and Jalco dated March 31, 1955.

Jalco's obligation to purchase the Westpan stock was conditioned upon, among other things, the consummation of the liquidation of Westpan through the sale of its assets pursuant to a plan to be approved by the holders of not less than 75 percent of the total number of outstanding shares of Westpan, for an aggregate price which would net to all stockholders a cash distribution of not less than \$12 per share, together with an additional contingent distribution of not to exceed \$2.50 per share, to be determined at a later date and payable under certain contingencies set forth in the contract. The contract provided for a closing date not later than December 15, 1955, subject to extension under certain conditions.

On November 10, 1955, Sinclair filed with this Commission a new notice, pursuant to Rule U-44 (c) of its intention to sell its holdings a Westpan common stock to Jalco in accordance with a new contract dated October 24, 1955; and on November 22, 1955 and December 6, 1955, Sinclair amended and supplemented such notice of intention. Under the new contract Sinclair proposes to cell its holdings of the common stock of Westpan to Jalco for the same consideration of \$4,618,330.32 in cash (\$12 per share), plus the same additional contingent amount of not to exceed \$2.50 per share in cash to be determined and payable under the same terms and conditions as were provided in the March 31, 1955, contract. Jalco will offer to purchase. and will purchase, at the same price as is being paid Sinclair and upon the same terms and conditions, any shares of Westpan held by the public.

Jalco's obligation to purchase any Westpan stock, either from Sinclair or the public holders, is conditioned upon, among other things, the acceptance by Westpan, pursuant to action of its board of directors and stockholders, of an offer by Jalco to surrender all Westpan stock acquired by it in exchange for (i) a proportionate interest in the liquid hydrocarbon constituents contained in natural gas in place in certain natural gas reserves in the West Panhandle gas field in Texas, and the operating contract rights relating thereto, and (ii) all of Westpan's interest in certain unde-veloped gas leaseholds, including related lease hold equipment, in Rio Arriba County, New Mexico. If the holders of 75 percent of the total number of shares of Westpan outstanding do not vote in favor of acceptance of the offer, Sinclair and Jalco have the option to terminate the contract and all obligations thereunder.

In support of the application for a further extension of time, Sinclair states that the liquidation and dissolution of Westpan, as originally proposed pursuant to the contract dated March 31, 1955, could not be effected because of the apparent unwillingness of Westpan to accept the offer for the sale of its accets

and the liquidation and dissolution of the company. that the respective obligations of Sinclair to sell, and Jalco to purchase, Sinclair's holdings of stock of Westpan are subject to the condition. among others, that favorable tax rulings shall have been obtained from the Internal Revenue Service with respect to certain aspects of the proposed transactions, which rulings, according to Sinclair, in all probability will not be obtained until some time after December 21, 1955; that there are pending before the Commission certain unresolved questions under the Securities Act of 1933 with respect to the proposed transactions; that until such matters have been resolved, Westpan will not be in a position to hold a special stockholders meeting to vote on whether or not to accept the Jalco offer; and that accordingly the transactions cannot be consummated prior to December 21, 1955.

Notice is further given that any interested person may, not later than January 9, 1956, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held in respect of the application for extension of time within which Sinclair may dispose of its holdings of Westpan stock, stating the nature of his interest, the reason for such request, and the issues of fact or law which he desires to controvert, or may request that he be notified if the Commission orders a hearing thereon. Any such request should bear the above title and file numbers of this notice, and should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the Commission may grant said application as filed, or as it may be amended, pursuant to Rule U-23 of the Rules and Regulations under the Act, or the Commission may take such other action in respect thereof as it deems appropriate.

By the Commission.

[SEAL] ORVAL L. DuBois, Secretary.

[F. R. Doc. 55-10383; Filed, Dec. 23, 1955; 8:49 a.m.]

[File No. 811-393]

CONSOLIDATED EQUITIES, INC.

APPLICATION FOR ORDER DECLARING COMPANY
HAS CLASED TO EL AN INVESTMENT COMPANY

DECEZIEER 22, 1955.

Notice is hereby given that Consolidated Equities, Inc. ("Consolidated") has filed an application under section 8 (f) of the Investment Company Act of 1940 for an order declaring that Consolidated, registered under the act as a closed-end, non-diversified, management investment company, has ceased to be an investment company.

The following representations are made:

Consolidated, a Massachusetts corporation, registered under the Act on November 22, 1940. At a special meeting held on April 6, 1955, the stockholders of Consolidated authorized the liquidation

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and dissolution of the corporation. Pursuant to this authorization, all of Consolidated's assets have been liquidated and all of its taxes and other liabilities have been paid. The net assets amounting to \$31,714.91 were deposited with the Second Bank—State Street Trust Co. of Boston, Massachusetts, to be held irrevocably in trust for the purpose of liquidation. Of this sum \$29,703.53 was to be distributed pro-rata among the holders of Consolidated's outsanding 16,393 shares on the basis of \$1.81 per share and the balance of \$2,011.38 was to be held in reserve for liquidation expenses.

Section 8 (f) of the act provides; in pertinent part, that whenever the Commission on application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than January 9, 1956, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 55-10390; Filed, Dec. 28, 1955; 8:50 a.m.]

[File No. 31-631]

BALTIMORE GAS AND ELECTRIC CO.
APPLICATION FOR EXEMPTION

DECEMBER 22, 1955.

Notice is hereby given that Baltimore Gas and Electric Company ("Baltimore Company") a public utility company, has filed with this Commission an application pursuant to section 3 (a) (2) of the Public Utility Holding Company Act of 1935 ("act") for an exemption for it and its direct subsidiary, Safe Harbor Water Power Corporation ("Safe Harbor") from the provisions of the act on the basis that it is predominantly a public utility company whose operations as such do not extend beyond the State of Maryland, the State in which it is organized.

The application which is on file in the offices of the Commission may be summarized as follows:

Applicant was organized under the laws of the State of Maryland, its principal office being located in Baltimore, Maryland. It is qualified to do business

only in the State of Maryland, and all its properties are located in that State.

Applicant's principal business is the sale in Maryland of electricity and natural gas for residential, commercial, and industrial uses; additionally, it sells electric energy to the Pennsylvania Railroad for the electrification of its New York-Washington Line, between Perryville, Maryland, and the District of Columbia, and of its Columbia and Port Deposit Branch, between Perryville and the Maryland-Pennsylvania State line, and sells firm peak energy to the Potomac Electric Power Company of Washington, D. C., a non-affiliate. Applicant also purchases and distributes natural gas and produces high Btu oil gas at times of peak loads and emergencies, sells steam for heating in the central business district of the City of Baltimore, and sells gas and electric appliances and allied merchandise.

As at December 31, 1954, Baltimore Company's capitalization and surplus aggregated \$292,879,434 and consisted of long-term debt representing 49.7 percent; preferred stock, 10.0 percent; and common stock and surplus, 40.3 percent. All these securities are held by the public.

Safe Harbor was organized under the laws of the Commonwealth of Pennsylvania on January 6, 1930, and all of its properties are located in that State. Safe Harbor's business is the generation, and sale of its entire output, of electricity

at wholesale to Baltimore Company, which purchases two-thirds of said output, and to Pennsylvania Power & Light Company ("Pennsylvania Power"), an exempt holding company pursuant to Rule U-2 and a public utility company, which purchases one-third of said output. Baltimore Company and Pennsylvania Power each own 50 percent of the voting Class B common stock of Safe Harbor Baltimore Company also owns all of the non-voting Class A° stock of Safe Harbor, which latter class of stock constitutes one-third of the entire capital stock of Safe Harbor. Thus, Baltimore Company owns two-thirds of all the capital stock of Safe Harbor, with the remaining one-third being owned by Pennsylvania Power which relative investments correspond with the respective proportions of electric energy purchased by these two companies from Safe Harbor.

As at December 31, 1954, Safe Harbor's capitalization and surplus aggregated \$26,604,218, consisting of long-term debt representing 54.5 percent thereof (first mortgage bonds, due 1981, held by the public, 52.6 percent; and ten year notes, 1.9 percent), and common stock and surplus, 45.5 percent thereof.

The following table sets forth certain statistics for 1954 concerning the size and business of Baltimore Company's public utility activities and the public utility activities of Safe Harbor.

TARLE T

	Baltimore Company	Safe Harbor	Percent— Safe Harbor to Baltl- more Company
Gross utility operating revenues (after intercompany eliminations). Net utility operating revenues (before income taxes). Sales of electricity—Mkwh (after intercompany eliminations). Sales of gas—Mcf. Gross utility plant (including acquisition adjustments). Gross utility plant (at original cost). Net utility plant (at original cost). Net utility plant (at original cost). Number of electric customers at end of year. Number of gas customers at end of year. Number of utility customers at end of year.	\$105, 033, 385 \$29, 069, 211 3, 680, 125 20, 915, 362 \$343, 537, 889 \$332, 296, 839 \$275, 583, 498 \$208, 651, 083 470, 215 339, 982 810, 197	\$1, 205, 970 \$2, 274, 816 264, 884 \$31, 205, 119 \$31, 205, 119 \$25, 201, 577 \$25, 201, 577 2	1, 21 7, 83 7, 20 0, 10 9, 41 9, 11 9, 33

In its pending application Baltimore Company states that its public utility operations do not extend beyond the State of Maryland, the State in which it is organized, and alleges that it is "predominantly" a public utility company whose operations and those of its subsidiary do not extend beyond the State of Maryland and States contiguous thereto. The filing represents that Baltimore Company is subject to the. jurisdiction of the Public Service Commission of Maryland and that as a consequence thereof Baltimore Company is regulated in respect of rates, services, exercise of franchises, accounting, records and reports, and security issuances. Additionally, Baltimore Company is subject to the jurisdiction of the Federal Power Commission in respect of the transmission of electric energy in interstate commerce and the sale of electric energy at wholesale in interstate commerce.

It is represented that Safe Harbor is subject to the jurisdiction of the Fed-

eral Power Commission both as a licensee of that Commission and as a publicutility company operating in interstate commerce. Additionally, it is represented that the Pennsylvania Public Utility Commission has sole jurisdiction over the issuance of securities by Safe Harbor and concurrent jurisdiction with the Federal Power Commission over its accounting and the requiring of reports from Safe Harbor.

Notice is further given that any interested person may, not later than January 9, 1956, at 5:30 p. m., request in writing that a hearing be held on such matter stating the nature of his interest, the reasons for such request, and the insues of fact or law, if any, raised by said application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said application may be granted or the Commission may take

such other action as it may deem appropriate under the circumstances.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 55-10391; Filed, Dec. 28, 1955; 8:50 a. m.]

[File No. 22-1785]

Rheinisch-Westfälisches Elektrizitätswerk Aktiengesellschaft

ORDER GRANTING APPLICATION FOR EXEMPTION

DECEMBER 22, 1955.

Rhemisch-Westfälisches Elektrizitätswerk Aktiengesellschaft ("RWE") a corporation organized and existing under the laws of Germany, having filed an application pursuant to section 304 (d) of the Trust Indenture Act of 1939 for an order exempting from the provisions of section 310 (a) (3) and 310 (b) (4) of the act, 51/4 percent Debt Adjustment Bonds, Series A due January 1, 1978, 41/2 percent Debt Adjustment Bonds, Series B, due January 1, 1978, and 4½ percent Debt Adjustment Bonds, Series C, due January 1, 1978, to be issued by RWE under an Indenture to be dated as of January 1, 1953, between RWE and The First National City Bank of New York as Trustee and Treuhand-Vereinigung Aktiengesellschaft, as Co-Trustee, in connection with RWE's offer of settlement to be made pursuant to Annex Π of the London Agreement on German External Debts of February 27, 1953, between the Government of the Federal Republic of Germany, the United States of America and other countries; and

It appearing to the Commission with respect to the request for exemption from section 310 (a) (3) to permit certain acts to be performed by the Co-Trustee, as

follows:

- (1) RWE has outstanding bonds which have been in default for many years. The London Agreement provides, among other things, for the consensual settlement of foreign currency obligations of German corporate debtors by the refunding and extension of such obligations. RWE is, however, liable only for the repayment of bonds which may be validated pursuant to the Validation Law for German Foreign Currency Bonds of August 25, 1952. The terms of the offer negotiated by RWE for its outstanding obligations provide for the issuance by RWE of the above described three series of its Debt Adjustment Bonds, due January 1, 1978, in exchange for its outstanding validated bonds.
- (2) The rights in the security of both the holders of the old and the new bonds are rights in German property, created under German mortgage law and to a large extent dependent upon the interpretation of the German Implementation Law and such rights in the security should be adjudicated only by German courts.
- (3) Vesting of title to the security in the Co-Trustee necessarily results in

certain acts being performable by the Co-Trustee. The acts which are performable only by the Co-Trustee relate to the release of property, the reduction of the registered amount of liens and the disposition of release moneys and such action is, in each case, subject to ultimate control by the Trustee if such control is exercised within 30 days after notice is received of the proposed action.

It further appearing to the Commission with respect to the request for exemption from section 310 (b) (4), to permit the Co-Trustee to serve notwithstanding an affiliation with an underwriter for the issuer, as follows:

writer for the issuer, as follows:
(1) Dr. Hermann Richter, chairman of the Aufsichtsrat of the Co-Trustee, is also chairman of the Aufsichtsrat of Rheim-Main Bank Aktiengesellschaft which within the last three years has acted as an underwriter for the issuer.

(2) Although the relationship between the Co-Trustee and Rhein-Main Bank Aktiengesellschaft may fall within the provisions of section 310 (b) (4) of the act, it is neither necessary nor desirable in the public interest or for the protection of investors to hold that the Co-Trustee should be disqualified by reason of such relationship.

(3) The Aufsichtsrat of a German corporation has substantially different functions from that of the Board of Directors of a United States corporation. Under section 95 of the German Stock Corporation Law (Aktiengesetz), the duties and rights of members of the Aufsichtsrat of German corporations are extremely limited and the delegation of management powers to the Aufsichtsrat are specifically prohibited.

(4) Disqualification of the proposed Co-Trusee will make it difficult to obtain as Co-Trustee any organization ratisfactory to the company which has adequate experience in dealing with foreign loans, since most of the available institutions which would come under consideration for such appointment have relationships with underwriters of the issuer involving ownership or control which are at least as serious as that relating to the proposed Co-Trustee.

Notice of the filing of said application having been duly given, applicant having waived hearing thereon, the Commission not having received a request for a hearing within the period specified in said notice and a hearing not appearing necessary or appropriate in the public interest or for the protection of investors;

It is ordered, That, insofar as the indenture permits the above described acts to be performed by the Co-Trustee, and permits the Co-Trustee to serve notwithstanding, an affiliation with underwriters for the issuer, the said three cories of Debt Adjustment Bonds be, and the same hereby are, exempted from the provisions of section 310 (a) (3) and 310 (b) (4) of the Trust Indenture Act of 1939.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 55-10392; Filed, Dec. 28, 1955; 8:50 a.m.]

[File No. 70-3433]

ROBERT R. YOUNG AND AETHUR S. KLEEMAN INDIRECT ACQUISITION OF SECURITIES OF PUBLIC-UTILITY COMPANY

DECEMBER 22, 1955.

Robert R. Young on behalf of himself and related persons and Arthur S. Kleeman on behalf of himself and related persons have filed an application and amendments thereto with this Commission pursuant to sections 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935 ("act") requesting approval of the indirect acquisition of securities of The Portsmouth Gas Company ("Portsmouth") a public-utility company organized and doing business in Ohio.

Chesapeake Industries Inc. ("Chesapeake") also an Ohio corporation, has purchased all of the issued and outstanding common stock (40,000 shares) of Portsmouth under a purchase agreement dated November 1, 1955, and intends to purchase from the John Hancock Life Insurance Company all of the other outstanding securities of Portsmouth consisting of \$372,000 principal amount of first mortgage 4 percent bonds. Under the purchase agreement Chesapeake agreed to pay \$2,500,000 for the common stock; such amount to be paid in installments of \$700,000 on December 23, 1955, and \$600,000 on November 1, 1956, 1957, and 1958 with interest at 41/2 percent per annum from November 1, 1955. Chesapeake has outstanding 3,125,672 shares of voting stock consisting of 3,058,264 shares of common stock and 67,408 shares of preferred stock.

It is stated that applicants and related persons own the following shares of voting stock of Chesapeake:

Nama	Com- min stock	Pre- ferred steels
Robert R. Young (wild) Anith O'K. Young (wild) Kenneth N. Young (brother) Arthur S. Khemen (brother) Figurest M. McCommo (hundier) Richert P. Khemen (hundier) Richert P. Khemen (wild) Fonter Companition (Applicant	405,429 194,354 8,230 5 44 44 22	9,619 5,090 70
Kleeman and wife are differers and rule etection forcy	213, 178	3,970

It is further stated that none of the above-named persons is an affiliate of any public-utility holding company or public-utility company other than Chesapeake and Portsmouth, respectively. It is requested that the Commission's order herein become effective forthwith upon issuance.

The Commission having given due notice of the filing of said application, and no one having requested a hearing and the Commission not having ordered a hearing thereon; and the Commission having considered said application, as amended, and finding that the applicable provisions of the Act are satisfied; that no adverse findings are necessary that the application, as amended, should be granted; and that this order should become effective forthwith:

It is ordered That said application, as amended, be, and the same hereby is, granted, effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc, 55-10393; Filed, Dec. 28, 1955; 8:50 a. m.]

[File No. 31-632]

CHESAPEAKE INDUSTRIES, INC.
ORDER GRANTING APPLICATION FOR
EXEMPTION

DECEMBER 22, 1955.

Chesapeake Industries, Inc. ("Chesapeake") a holding company, has filed with this Commission an application pursuant to section 3 (a) (1) of the Public Utility Holding Company Act of 1935 ("act") requesting an exemption for itself and for every subsidiary company thereof, as such, from the provisions of said act. Chesapeake, an Ohio corporation, has a number of subsidiary companies only one of which, The Portsmouth Gas Company ("Portsmouth") is a public-utility company and which is also organized in Ohio. It is stated that Portsmouth is engaged solely in the distribution of natural gas at retail to approximately 11,600 consumers in the City of Portsmouth and adjacent territory and that the company is not now and never has been engaged in the purchase. transportation or sale of manufactured or natural gas outside the State of Ohio or the delivery of manufactured or natural gas at State lines. It is further stated that Portsmouth is subject to the jurisdiction of the Ohio Public Utilities Commission. Other than common stock, all of which is owned by Chesapeake, the only outstanding securities of Portsmouth are \$372,000 principal amount of first mortgage 4 percent bonds. All of such bonds are held by John Hancock Life Insurance Company and, according to the application, will be purchased by Chesapeake in the event the requested exemption is granted.

Due notice of the filing of said application having been given and no hearing having been requested of, or ordered by, the Commission; and the Commission finding that the applicable standards of section 3 (a) (1) of the act are satisfied, that said application should be granted, and that this order should become effec-

tive upon issuance.

It is ordered, That Chesapeake and its subsidiary companies be, and the same hereby are, exempted from the provisions of the act applicable to them as a holding company and subsidiary companies thereof.

It is further ordered, That this order shall become effective upon issuance.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 55-10394; Filed, Dec. 28, 1955; 8:50 a. m.]

[File No. 812-971]

VALUE LINE FUND, INC. AND VALUE LINE INCOME FUND, INC.

APPLICATION FOR ORDER EXEMPTING TRANSACTION BETWEEN AFFILIATES

DECEMBER 22, 1955.

Notice is hereby given that The Value Line Fund, Inc. ("Value Line") and The Value Line Income Fund, Inc. ("Income Fund") registered open-end investment companies, have filed an application pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 ("act") for an order exempting from the prohibitions of section 17 (a) the proposed sale by Income Fund to Value Line, and correspondingly the proposed purchase by Value Line from Income Fund, of not more than 18,000 shares of the common stock of Circle Wire & Cable Corp. ("Circle") This sale and purchase is to take place as soon as practicable after receipt of the requested order at a price per share equal to the price at which these shares are then traded on the American Stock Exchange, without the payment of any commission, provided that the then market price is not higher than 251/2 and not lower than 243/4.

Value Line and Income Fund have the same officers and directors and the same investment adviser, manager and principal underwriter. Accordingly it appears that the two companies are undercommon control and are therefore affiliates of each other as defined in the Act. In addition, the investment adviser and manager, Arnold Bernhard & Co., Inc. ("Bernhard"), owns approximately 8.8 percent of the outstanding capital shares of Value Line, and Value Line is therefore an affiliated person of Bernhard which is, in turn, an affiliated person of Income Fund as described in the act.

Section 17 (a) of the act prohibits an affiliated person of a registered investment company or any affiliated person of such a person, from selling to or purchasing from such registered investment company any securities or property, subject to certain exceptions not pertinent here. The Commission upon application pursuant to section 17 (b) may grant an exemption from the provisions of section 17 (a) if it finds that the terms of the proposed transactions, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the act, and is consistent with the general purposes of the act.

The investment objectives of Income Fund are stated to be as follows:

- Income—as high and as dependable as possible in keeping with sound investment principles and the investment outlook.
- 2. Capital growth—as large as possible consistent with the primary "income" objective.

The application states that between November 12, 1954, and July 14, 1955, In-

come Fund acquired 18,200 shares of Circle common stock at an average cost of \$22.42 a share. On October 27, 1955, it was announced that Cerro de Pasco Corp. had agreed to buy the assets and business of Circle. A meeting of shareholders of Circle was called for November 28, 1955, to approve the sale and the liquidation for each of the outstanding Circle common stock. It is anticipated that Circle's liquidation will result in cash distributions to its stockholders of slightly more than \$26 per share, and that most of this will be paid within six months. The present market price of Circle stock is about 251/4. It is the be-lief of the management of Income Fund that it would be in keeping with its investment objectives to dispose of the Circle stock at approximately its present market price since no further dividend income will be received on this stock and the further capital gain which would be realized if the stock were held until final liquidation is very limited.

Value Line's investment objectives are

stated to be as follows:

1. Capital growth—to increase the number of its shareholders' dollars.

2. Income—as regular and as high as possible consistent with the "growth" objective.

3. Conservation of capital—by prompt adjustment from aggressive to defensive investments when circumstances require.

The application states that Value Line presently has more than 50 percent of its funds invested in bonds and highgrade preferred stocks because of the opinion of its management that such a conservative investment policy is called for by the present position of the stock market. In the opinion of Value Line's management, the acquisition of the Circle stock at approximately the present market price would be in keeping with its investment policy since that stock would qualify as a defensive investment which would not be affected by any general decline in stock prices. The management also believes the acquisition would be advantageous since the appreciation expected to be realized on the stock within approximately six months would compare favorably with most other defensive investments presently available.

The application further states that it is believed that the proposed transaction is in the interests of both investment companies, because Income Fund would probably not be able to dispose of, and Value Line would not be able to acquire, a large block of Circle stock at the prevailing market price, and without the payment of any commission, if the sale or purchase were on the open market.

Notice is further given that any interested person may, not later than January 6, 1956, at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearmg on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be

notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 55-10395; Filed, Dec. 28, 1955; 8:51 a. m.1

SUBVERSIVE ACTIVITIES CONTROL BOARD

[Docket No. 108-53]

VETERANS OF THE ABRAHAM LINCOLN BRIGADE

REGISTRATION AS COMMUNIST-FRONT ORGANIZATION

Herbert Brownell, Jr., Attorney General of the United States, Petitioner, v. Veterans of the Abraham Lincoln Brigade, Respondent.

Upon hearings duly held by the Board on a petition filed by the Attorney General of the United States, acting pursuant to section 13 (g) of the Subversive Activities Control Act of 1950 (Title I of the Internal Act of 1950, 64 Stat. 987, et seg.) the Board on December 21, 1955, issued and caused to be served on the parties of record, an order reading as follows:

Having this day issued its Report in which, after a hearing upon a petition filed under subsection (a) of section 13 of the Subversive Activities Control Act of 1950, as amended, the Board finds that the Veterans of the Abraham Lincoln Brigade, respondent herein, is a Communist-front organization under the provisions of the said act, it is ordered that the Veterans of the Abraham Lincoln Brigade shall, pursuant to the said act, register as a Communist-front organization with the Attorney General of the United States.

By the Board.

(Signed) Thomas J. Herbert, Chairman, (Signed) Harry P. Cain, Member, (Signed) Francis A. Cherry, Member, (Signed) David J. Coddaire, Member, (Signed) Kathryn McHale, Member.

Washington, D. C. DECEMBER 21, 1955.

[SEAL]

THOMAS J. HERBERT, Chairman.

DECEMBER 22, 1955.

[F. R. Doc. 55-10431; Filed, Dec. 28, 1955; 8:59 a. m.]

INTERSTATE COMMERCE COMMISSION

J. ALEX. CROTHERS

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Pursuant to subsection 302 (a) and section 304, Part III, Executive Order No. 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as

amended," the following information is mation is furnished for publication in furnished for publication in the FEDERAL REGISTER:

Report of Appointment

- 1. Name of appointee: J. Alex. Crothers.
- 2. Name of employing agency. Interstate Commerce Commission.
- 3. Date of appointment: July 1, 1955. 4. Title of appointee's position: Con-
- sultant.
- 5. Name of appointee's private employer or employers: Delaware River Port Authority.

Dated at Washington, D. C., this 22d day of December 1955.

> J. M. Johnson, Acting Chairman.

Statement of Financial Interests

Pursuant to subsection 302 (b) and section 304, Part III, Executive Order No. 10647 (20 F R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as Amended" and as a person heretofore appointed as a consultant by the Chairman of the Interstate Com-merce Commission under subsection 101 (a) of Executive Order No. 10182, as amended by Executive Order No. 10205, still employed by the Interstate Commerce Commission on November 28, 1955, I hereby furnish the following information for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER:

(1) The names of each corporation of which I was, or within sixty days preceding my said appointment had been, an officer or director, are as follows: None.

(2) The names of each corporation in which I owned, or within sixty days preceding my said appointment had owned, stocks, bonds, or other financial interests, are as follows:

First Camden National Bank and Trust Co. The Camden Fire Insurance Accordation. E. I. DuPont Company.

J. C. Penney Company.

(3) The names of each partnership of which I was, or within sixty days preceding my said appointment had been, a partner, are as follows: None.

(4) The names of other businesses in which I own, or within sixty days preceding my said appointment had owned, any similar interest are as follows: None.

Dated at Camden, N. J., this 13th day of December 1955.

J. ALEX CROTHERS.

[F. R. Doc. 55-10424; Filed, Dec. 28, 1955; 8:58 a. m.]

AUGUST W. FREY

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Pursuant to subsection 302 (a) and section 304, Part III, Executive Order No. 10647 (20 F. R. 8769), "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as Amended," the following infor-

the FEDERAL REGISTER:

Report of Appointment

- 1. Name of appointee: August W. Frey.
- 2. Name of employing agency Interstate Commerce Commission.
- 3. Date of appointment: July 1, 1955. 4. Title of appointee's position: Con-
- sultant. 5. Name of appointee's private employer or employers: National Oil Transport Corporation.

Dated at Washington, D. C., this 22d day of December 1955.

> J. M. Johnson, Acting Chairman.

Statement of Financial Interests

Pursuant to subsection 302 (b) and section 304, Part III, Executive Order No. 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended" and as a person heretofore appointed as a consultant by the Chairman of the Interstate Commerce Commission under subsection 101 (a) of Executive Order No. 10182, as amended by Executive Order No. 10205, still employed by the Interstate Commerce Commission on November 23, 1955, I hereby furnish the following information for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER:

(1) The names of each corporation of which I was, or within sixty days preceding my said appointment had been, an officer or director, are as follows:

National Oil Transport Corporation, 21 West Street, New York 6, New York.
Vice President and General Traffic

Manager.

- (2) The names of each corporation in which I owned, or within sixty days preceding my said appointment had owned, stocks, bonds, or other financial interests, are as follows: None.
- (3) The names of each partnership of which I was, or within sixty days preceding my said appointment had been, a partner, are as follows: None.
- (4) The names of other businesses in which I own, or within sixty days pre-ceding my said appointment had owned, any similar interest are as follows:

Dated at New York, N. Y., this 12th day of December 1955.

August W. Frey.

[P. R. Doc. 55-10425; Filed, Dec. 28, 1955; 8:53 a. m.]

KEITH H. LYELA

REPORT OF APPORITHMENT AND STATEMENT OF PHIANCIAL INTERESTS

Pursuant to subsection 302 (a) and section 304, Part III, Executive Order No. 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as Amended," the following information is furnished for publication in the Federal Register:

Report of Appointment

- Name of appointee: Keith H. Lyrla.
 Name of employing agency. Interstate Commerce Commission.
 - 3. Date of appointment: July 1, 1955. 4. Title of appointee's position:

Consultant.
5. Name of appointee's private em-

5. Name of appointees private employer or employers: Illinois Central Railroad.

Dated at Washington, D. C., this 22d day of December 1955.

J. M. Johnson, Acting Chairman.

Statement of Financial Interests

Pursuant to subsection 302 (b) and section 304, Part III, Executive Order No. 10647 (20 F R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as Amended" and as a person heretofore appointed as a consultant by the Chairman of the Interstate Commerce Commission under subsection 101 (a) of Executive Order No. 10182, as amended by Executive Order No. 10205, still employed by the Interstate Commerce Commission on November 28, 1955, I hereby furnish the following information for filing with the Division of the Federal Register for publication in the Federal Register:

(1) The names of each corporation of which I was, or within sixty days preceding my said appointment had been, an officer or director, are as follows:

Illinois Central Railroad Company.

(2) The names of each corporation in which I owned, or within sixty days preceding my said appointment had owned, stocks, bonds, or other financial interests, are as follows: None.

(3) The names of each partnership of which I was, or within sixty days preceding my said appointment had been, a partner, are as follows: None.

(4) The names of other businesses in which I own, or within sixty days preceding my said appointment had owned, any similar interest are as follows: None.

Dated at Chicago, Illinois this 13th day of December 1955.

K. H. LYRLA.

[F. R. Doc. 55-10426; Filed, Dec. 28, 1955; 8:59 a. m.]

EUGENE S. ROOT

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Pursuant to subsection 302 (a) and section 304, Part III, Executive Order No. 10647 (20 F R. 8769) "providing for the appointment of certain persons under the Defense Production Act of 1950, as amended," the following information is furnished for publication in the Federal Register:

Report of Appointment

- 1. Name of appointee: Eugene S. Root.
- 2. Name of employing agency Interstate Commerce Commission.
 - 3. Date of appointment: July 1, 1955.

- 4. Title of appointee's position: Consultant.
- Name of appointee's private employer or employers: Erie Railroad Company.

Dated at Washington, D. C., this 22d day of December 1955.

J. M. Johnson, Acting Chairman.

Statement of Financial Interests

Pursuant to subsection 302 (b) and section 304, Part III, Executive Order No. 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as amended" and as a person heretofore appointed as a consultant by the Chairman of the Interstate Commerce Commission under subsection 101 (a) of Executive Order No. 10182, as amended by Executive Order No. 10205, still employed by the Interstate Commerce Commission on November 28, 1955, I hereby furnish the following information for filing with the Division of the Federal Register for publication in the Federal Register.

(1) The names of each corporation of which I was, or within sixty days preceding my said appointment had been, an officer or director, are as follows: None.

(2) The names of each corporation in which I owned, or within sixty days preceding my said appointment had owned, stocks, bonds, or other financial interests, are as follows:

Erie Railroad Company.

(3) The names of each partnership of which I was, or within sixty days preceding my said appointment had been, a partner, are as follows: None.

(4) The names of other businesses in which I own, or within sixty days preceding my said appointment had owned, any similar interest are as follows: None.

Dated at Cleveland, Ohio this 9th day of December 1955.

EUGENE S. ROOT.

[F. R. Doc. 55-10427; Filed, Dec. 28, 1955; 8:59 a. m.]

FRED R. WHITE, JR.

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Pursuant to subsection 302 (a) and section 304, Part III, Executive Order No. 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as Amended," the following information is furnished for publication in the Federal Register;

- 1. Name of appointee: Fred R. White,
- 2. Name of employing agency Interstate Commerce Commission.
- Date of appointment: July 1, 1955.
 Title of appointee's position: Consultant.
- 5. Name of appointee's private employer or employers: Oglebay, Norton & Company, The Columbia Transportation Company.

Dated at Washington, D. C., this 22d day of December 1955.

J. M. Johnson, Acting Chairman,

Statement of Financial Interests

Pursuant to subsection 302 (b) and section 304, Part III, Executive Order No. 10647 (20 F R. 8769), "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, its Amended", and as a person heretofore appointed as a consultant by the Chairman of the Interstate Commerce Commission under subsection 101 (a) of Executive Order No. 10182, as amended by Executive Order No. 10205, still employed by the Interstate Commerce Commission on November 28, 1955, I hereby furnish the following information for filing with the Division of the Federal Register for publication in the Federal Register:

(1) The names of each corporation of which I was, or within sixty days preceding my said appointment had been, an officer or director, are as follows:

The Columbia Transportation Company, Fairport Machine Shop, Inc., The Fortune Lake Mining Company, The Home for Aged Women of Cleveland, Ohio, The Kirtland Country Club Company, Lake Carriers' Association, The Lake View Cemetery Association, North Shore Land Company, The David Z. Norton Company, Oglebay, Norton and Company, The Pringle Barge Line Company, The Toledo Lakefront Dock Company.

(2) The names of each corporation in which I owned, or within sixty days preceding my said appointment had owned, stocks, bonds, or other financial interests, are as follows:

American Airlines, Inc., American Natural Gas Co., Municipality of Antyerp, Ohio, Appalachian Electric Power Co., Armco Steel Corp., Aztec Oli and Gas Co., Bethlehem Steel Corp., Aztec Oli and Gas Co., Bethlehem Steel Corp., Canadian Industries (1954) Ltd., Cleveland Quarries Co., Cleveland Skating Club, Columbia Broadcasting System, Columbia Transportation Co., E. I. duPont de Nemours & Co., Du Pont of Canada Securities, Ltd., General Abrasive Co., Inc., General Motors Corp., The B. F. Goodrich Co., Gulf Oil Corp., Houston Oil Co. of Texas, Kirtland Country Club, Maine Turnpike Authority, Monsanto Chemical Co., The David Z. Norton Company, Ohio Turnpike Project, Oklahoma Turnpike, Otis Elevator Company, Pennsylvania Turnpike, Phillips Petroleum Co., Pittsburgh Steel Corp., Proctor & Gambia Co., Republic Steel Corp., Skeliy Oil Co., Sunnyhill Aggregates Corp., Union Bank of Commerce, Union Carbide & Carbon Co., The Union Club Co., Union Oil Co. of California, U. S. Steel Corp., Winous Point Shooting Club.

- (3) The names of each partnership of which I was, or within sixty days preceding my said appointment had been, a partner, are as follows: None.
- (4) The names of other businesses in which I own, or within sixty days preceding my said appointment had owned, any similar interest are as follows: None.

Dated at Cleveland, Ohio this 19th day of December 1955.

FRED R. WHITE, Jr.

[F. R. Doc. 55-10428; Filed, Dec. 28, 1955; 8:59 a. m.] [Notice 92]

MOTOR CARRIER APPLICATIONS

DECEMBER 23, 1955.

Protests, consisting of an original and two copies to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the Federal REGISTER and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241) Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the General Rules of Practice of the Commission (39 CFR 1.40) protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters, and things, relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oralhearing must be supported by and explanation as to why the evidence cannot be submitted in forms of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, pre-hearing conference, taking of depositions, or other proceeding shall notify the Commission by letter or telegram within 30 days of publications of this notice in the Frn-ERAL REGISTER.

Except when the circumstances require immediate action, an application for approval, under Section 210a (b) of the Act, of the temporary operations of Motor Carrier properties sought to be acquired in an application under Section 5 (2) will not be disposed of sooner than 10 days from the date of publication of this notice in the Federal Register. If a protest is received prior to action being taken, it will be considered.

APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

No. MC 353 Sub 3, filed December 19, 1955, O. F LANE, doing business as LANE'S MOTOR FREIGHT LINES, 816 Santa Fe St., Woodward, Okla. Applicant's attorney Tom Hieronymus, 10141/2 9th St., Woodward, Okla. For authority to operate as a common carmer over irregular routes, transporting: Used household goods and office furniture and fixtures, as defined by the Commission, between points in Woodward, Woods, Major Dewey, Ellis, Harper, Beaver Counties, Texas, and Cimarron Counties, Okla., and points in Colorado, New Mexico, Kansas, and Texas, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application, on return. Applicant is authorized to conduct operations in Oklahoma, Colorado, and New Mexico.

No. MC 603 Sub 8, filed December 13, 1955, T. R. SHUMPERT, doing business as SHUMPERT TRUCK LINE, Highway 278 W., Amory, Miss. Applicant's attorney Edward G. Grogan, Commerce Title Building, Memphis 3, Tenn. For author-

ity to operate as a common currier, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bull; and those requiring special equipment, (1) over a regular route between Amory, Miss., and Cochrane, Ala., over U. S. Highway 278 from Amory to Sulligent, Ala., thence over Alabama Highway 17 to Cochrane, and return over the same route, serving the intermediate points of Sulligent, Vernon, Millport, Reform, Carrollton, and Aliceville, Ala., and (2) over alternate routes (a) between Amory, Miss., and Aliceville, Ala., over Mississippi Highway 25 from Amory to junction U. S. Highway 45 near Aberdeen, Miss., thence over U.S. Highway 45 to Columbus, Miss., thence over Mississippi Highway 69 to the Mississippi-Alabama State line, thence over Alabama Highway 40 to Aliceville, and return over the same route, and (b) between Amory, Miss., and Reform, Ala., over route described under (2) (a) above from Amory to Columbus, Miss., thence over U.S. Highway 82 to Reform, and return over the same route; serving no intermediate points on said alternate routes, for operating convenience only, in connection with regular route operations over route described under (1) above. Applicant is authorized to conduct operations in Mississippi and Tennessee.

No. MC 1422 Sub 22, filed November 10. 1955, VOSS TRUCK LINES, INC., 900 W Washington, Box 917, Oklahoma City, Okla. Applicant's attorney. James F. Miller, 500 Board of Trade, 10th and Wyandotte, Kansas City 6, Mo. For authority to operate as a common carrier, over regular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Tulsa, Okla., and Omaha, Nebr., from Tulsa over U.S. Highway 75 to Omaha, and return over the same route, serving Topeka, Kans., as an intermediate point. Applicant is authorized to conduct operations in Oklahoma, Missouri, Nebraska, Kansas, Iowa, and Illinois.

No. MC 2130 Sub 48, filed December 16, 1955, COUCH MOTOR LINES, INC., 1401 Abbie Street, Shreveport, I.a. Applicant's attorney' Robert L. Garrett, Commercial Building, Shreveport, La. For authority to operate as a common carrier over a regular route, transporting: Class A and B explosives, moving on government bills of lading, between Mobile, Ala., and Pensacola, Fla., over U. S. Highway 90. Applicant is authorized to conduct operations in Alabama, Arkansas, Louisiana, Mississippi and Tennessee.

No. MC 2202 Sub 137, filed December 1, 1955, ROADWAY EXPRESS, INC., 147 Park Street, Akron, Ohio. Applicant's attorney William O. Turney, 2001 Massachusetts Ave., N. W., Washington 6, D. C. For authority to operate as a common carrier, over regular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as

defined by the Commission, commodities in bull, and commodities requiring special equipment, (1) between Birmingham, Ala., and Dallas, Tex., from Bir-mingham over U.S. Highway 11 to Meridian, Miss., thence over U.S. Highway 80 to Dallas, Tex., and return over the same route; (2) between Birming-ham, Ala., and Houston, Tex., from Birmingham over U. S. Highway 11 to junction with Mississippi Highway 26 near Poplarville, thence over Mississippi Highway 26 to the Mississippi-Louisiana State line, thence over Louisiana Highway 35 to its junction with Louisiana Highway 7, thence over Louislana Highway 7 to the Texas-Louisiana State line, thence over Texas Highway 235 to junction with U.S. Highway 90 near Vidor, Tex., and thence over U.S. Highway 90 to Houston, Tex., and return over the same route, serving no intermediate points. Applicant is authorized to conduct operations in Ohio, Oklahoma, Texas, Michigan, Missouri, Indiana, Pennsylvania, Illinois, Kansas, Tennes-see, Kentucky, Georgia, Alabama, North Carolina, South Carolina, New Jersey, New York, Virginia, Delaware, Maryland, West Virginia, Connecticut, and the District of Columbia.

No. MC 14297 Sub 8, filed December 16, 1955, GIACOMAZZI BROS. TRANS-PORTATION CO., a Corporation, P. O. Box 729, San Jose 5, Calif. Applicant's attorney Marvin Handler, 465 California Street, San Francisco 4, Calif. For authority to operate as a common carrier, over irregular routes, transporting: Beet sugar, final molasses residuum, in bulk, in tank vehicles, from San Jose, Calif., to Gardnerville, Nev. Applicant is authorized to conduct operations in California and Nevada.

No. MC 16240 Sub 8, filed December 9, 1955, FORREST BRIGHAM, 42 Church Street, Evansville, Wis. Applicant's attorney Edward A. Solie, 715 First National Bank Bldg., Madison 3, Wis. For authority to operate as a common carrier over irregular routes, transporting: Windmills and farm pumping equipment and parts, including compression tanks and electric motors when forming complementary parts thereof and shipped with farm pumping equipment, from Evansville, Wis., to Albert Lea, Minn., Fargo, N. Dak., and Mitchell and Aberdeen, S. Dak. Applicant is authorized to conduct operations in Illinois, Iowa, Kansas, Missouri, Nebraska, Oklahoma, Texas and Wisconsin.

No. MC 23986 Sub 9, filed December 14, 1955, BLAIR TRANSIT COMPANY, a Corporation, 142 Davenport Street, Sagnnaw, Mich. Applicant's attorney Carl H. Smith Sr., 210-214 Phoenix Building, Bay City, Mich. For authority to operate as a common carrier, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, serving the Sterling Plant of the Ford Motor Company at 17-mile and Mound Roads in Macomb County, Michigan, located approximately one mile outside the Detroit Commercial 10088 NOTICES

Zone, as an off-route point in connection with carrier's authorized regular route operations. Applicant is authorized to conduct operations in Michigan and Ohio.

No. MC 31600 Sub 396, filed December 12, 1955, P. B. MUTRIE MOTOR TRANS-PORTATION, INC., Calvary Street, Waltham, Mass. For authority to operate as a common carrier over irregular routes, transporting: Lubricating oil, in bulk, in tank vehicles, from Bayway and Bayonne and Jersey City N. J. to Loring Air Force Base, Limestone, Maine. Applicant is authorized to conduct operations in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maine, New Hampshire, Vermont, Delaware, South Carolina, North Carolina, and Maryland.

No. MC 52978 Sub 13, filed December 12, 1955, MICHIGAN TRANSPORTATION COMPANY, 1650 Waterman, Detroit, Mich. Applicant's attorney Robert A. Sullivan, 2606 Guardian Bldg., Detroit 26, Mich. For authority to operate as a contract carrier over irregular routes, transporting: Cement, in bags and in bulk, from points in the Detroit, Michigan Commercial Zone to points in Indiana. Applicant is authorized to conduct irregular route operations in Michigan and Ohio.

No. MC 54435 Sub 23, filed December 19, 1955, MICHIGAN MOTOR FREIGHT LINES, INC., 4800 Oakman Blvd., Dearborn, Mich. Applicant's attorney Walter N. Bieneman, Guardian Bldg., Detroit 26, Mich. For authority to operate as a common carrier over 11regular routes, transporting: General commodities, except those of unusual value, and except dangerous explosives, livestock, household goods as defined by the Commission, commodities in bulk. and those requiring special equipment, serving the plant of the Ford Motor Company at the intersection of Huron River Drive and McKean Road in Washtenaw County, Michigan near the Village of Rawsonville as an off-route point in connection with applicant's presently authorized regular route operations between Ypsilanti, Michigan and various points in Michigan, Illinois, Indiana, and Ohio. Applicant is authorized to conduct regular route operations in Michigan, Illinois, Indiana, Kentucky and Ohio.

No. MC 62056 Sub 3, filed December 12, 1955, PAUL E. SCOTT, doing business as SCOTT TRUCK LINE, 321 E. 13th Street, Hutchinson, Kans. Applicant's attorney: J. Wm. Townsend, 204–206 Central Bldg., Topeka, Kans. For authority to operate as a contract carrier over irregular routes, transporting: Salt, from Hutchinson, Kanopolis and Lyons, Kans., to points in Colorado and Nebraska. Empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application, on return. Applicant is authorized to conduct operations in Kansas, Colorado, and Nebraska.

No. MC 66562 Sub 1259, filed December 19, 1955, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd Street, New York 17 N. Y. Applicant's attorney William H. Marx 219

East 42nd Street, New York 17, N. Y. For authority to operate as a common carrier over a regular route, transporting: General commodities, including Class A and B explosives, moving in express service, between Wooster, Ohio, and junction of Ohio Highway 5 with Ohio Highway 94, over Ohio Highway 5, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's presently authorized regular route operations between Akron, Ohio and Columbus, Ohio, in No. MC 66562 Sub 669. Applicant is authorized to conduct operations throughout the United States.

No. MC 69752 Sub 13, filed November 23, 1955, ZUZICH TRUCK LINES, INC., 120 Kansas Ave., Kansas City Kans. Applicant's attorney James F Miller, 500 Board of Trade, 10th and Wyan-dotte, Kansas City 6, Mo. For authority to operate as a contract carrier over uregular routes, transporting: Meats, meat products, and meat by-products, dairy products, and articles distributed by meat-packing houses, as defined by the Commission, such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers, and empty containers or other such incidental facilities (not specified) used in transporting the aforesaid commodities, between Arkansas City, and Wichita, Kans., St. Louis, Mo., East St. Louis, Ill., Des Moines, Marshalltown, Dubuque, Davenport, Ottumwa, Sioux City, Storm Lake, and Waterloo, Iowa, and Omaha, and Fremont, Nebr. Applicant is authorized to conduct regular route operations in Illinois, Indiana, Kansas, Missouri, and Oklahoma, and irregular route operations in Illinois, Indiana, Iowa, Kansas, and Missouri.

No. MC 69833 Sub 46, filed December 12, 1955, ASSOCIATED TRUCK LINES, INC., 15 Andre Street, S. E., Grand Rapids 7, Mich. Applicant's attorney R. E. DesRoches, 572 Hollister Bldg., Lansing 8, Mich. For authority to operate as a common carrier transporting: Scrap metals, in bulk, and general commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk (not including scrap metals, in bulk) commodities requiring special equipment, and those injurious or contaminating to other lading, serving the site of the Ford Motor Company (Parts and Equipment Division) located near the unincorporated village of Rawsonville, Mich., at the southeast intersection of Huron River Drive (Textile Road) and McKean Road in Washtenaw County, Mich. (approximately four miles southeast of Ypsilanti, Mich.) as an offroute point in connection with carrrier's presently authorized regular route operations between Toledo, Ohio and Niles, Mich. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan and Ohio.

No. MC 70267 Sub 7, filed December 14, 1955, ELI E. WAGNER, JR., 724 East Boundary Ave., York, Pa. Applicant's attorney Norman T. Petow, 25 South Duke St., York, Pa. For authority to operate as a common carrier over irregular routes, transporting: Brick and clay

products, from points in Spring Garden Township, York County, Pa., to points in Connecticut, Massachusetts, Rhode Island, Virginia and West Virginia, and empty containers or other such incidental facilities used in transporting the commodities specified on return. Applicant is authorized to conduct irregular route operations in Delaware, Maryland, New York, Pennsylvania and the District of Columbia.

No. MC 75320 Sub 72, filed December 9, 1955; CAMPBELL SIXTY SIX EX-PRESS, INC., P O. Box 390, 2333 E. Mill St., Springfield, Mo. For authority to operate as a common carrier, over a regular route, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between junction of Arkansas Highways 7 and 10 at Ola, Ark., and Hollister, Mo., over Arkansas Highway 7 from junction Arkansas Highway 10 at Ola to junction U. S. Highway 65, thence over U.S. Highway 65 to Hollister, and return over the same route, serving the intermediate points of Centerville, Dover, Freeman Springs, Raspherry, Lurton, Cowell, Jasper, Pruitt, and Marble Falls, Ark. Applicant is authorized to conduct operations in Alabama, Arkansas, Illinois, Indiana, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas.

No. MC 78028 Sub 6, filed December 16, 1955, BEAVER TRANSPORT CO., A CORPORATION, 212-216 Corner 1st & West-South Sts., (P O. Box 427), Beaver Dam, Wis. For authority to operate as a contract carrier, over irregular routes, transporting: Malt beverages and empty malt beverage containers, between Chicago, Ill., and points in Wisconsin south and east of a line beginning at Marinette and extending along the west shore of Green Bay to Green Bay, including points in Door and Kewaunee Counties, thence along U.S. Highway 41 to Oshkosh, thence along Wisconsin Highway 26 to junction U.S. Highway 151, thence along U.S. Highway 151 to Madison, and thence along Wisconsin Highway 13 to the Wisconsin-Illinois State Line, including points on the indicated portions of the highways specified. Applicant is authorized to conduct operations in Illinois and Wisconsin.

No. MC 82336 Sub 17, filed November 22. 1955, UNITED PARCEL DELIVERY, INC., 663 Bryson St., Youngstown, Ohio. Applicant's attorney. Harold G. Hernly, 1624 Eye St., N. W., Washington 6, D. C. For authority to operate as a contract carrier over irregular routes, transporting: New furniture, uncrated, (1) from Columbiana, Ohio, to points in Illinois, Virginia, and Michigan; (2) from Salem, Ohio, to points in Illinois, Michigan, Indiana, Kentucky, Maryland, New York, Virginia, New Jersey, the District of Columbia, those in that part of West Virginia south of U.S. Highway 50, and those in that part of Pennsylvania east of a line beginning at the New York-Pennsylvania State line near Tuna, Pa. and extending along U.S. Highway 219 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U. S. Highway 220, and thence along

U. S. Highway 220 to the Maryland-Pennsylvania State line. Applicant 13 authorized to conduct operations from Columbiana, Ohio, to points in Indiana, Kentucky, Maryland, New Jersey, New York, Pennsylvania, West Virginia, the District of Columbia, and a certain portion of Michigan; and from Salem, Ohio, to the remaining portions of West Virginia and Pennsylvania.

No. MC 95084 Sub 30, filed December 12, 1955, HOVE TRUCK LINE, Stanhope, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Momes 16, Iowa. For authority to operate as a common carrier over irregular routes, transporting: Building material, from Chicago Heights, Ill., to points in Nebraska, Minnesota, South Dakota, Missouri, and Kansas.

No. MC 98915 Sub 1, filed October 24, 1955, LILLIAN E. BENNETT, doing business as BUCKEYE FREIGHT LINES, 717 North 21st Avenue, Phoenix, Ariz. For authority to operate as a common carrier over regular and irregular routes, transporting: (1) Over a regular route, General commodities, including articles of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bull:, and those requiring special equipment, between Phoenix, Ariz., and Buckeye, Arız., over U.S. Highway 80, serving all intermediate points and points within five (5) miles of U.S. Highway 80 as offroute points; and (2) over irregular routes, household goods as defined by the Commission, points between Phoenix, Arız., and Buckeye, Arız., on U.S. Highway 80, and points within five (5) miles of said highway, on the one hand, and, on the other, points in Arizona.

Note: Applicant conducts operations under Section 206 (a) (1) of the Interstate Commerce Act pursuant to filing in Docket No. MC 98915, and states that the registration is to be cancelled if certificate is granted.

No. MC 103370 Sub 41, filed December 8, 1955, BEST MOTOR FREIGHT, INC., 2511 Swiss Avenue, Dallas, Tex. Applicant's attorney Reagan Sayers, Century Life Building, Fort Worth, Tex. For authority to operate as a common carrier over regular routes, transporting: U. S. Government-owned compressed gas trailers, loaded with compressed gas, other than liquefied petroleum gas, and empty U. S. Government-owned compressed gas trailers, from, to, and between points presently authorized to be served in the performance of regular and alternate route operations in that through Illinois, Indiana, Missouri, Ohio, Oklahoma, and Texas. Applicant is authorized to conduct operations in Illinois, Indiana, Missouri, Ohio, Oklahoma, and Texas.

No. MC 103378 Sub 51, filed December 19, 1955, PETROLEUM CARRIER COR-PORATION, 369 Margaret St., Jacksonville, Fla. Applicant's attorney. Martin Sack, Atlantic National Bank Bldg., Jacksonville 2, Fla. For authority to operate as a common carrier over irregular routes, transporting: Liquid sulphate of alumina, in bulk, in tank trucks, from Mobile, Ala., to Port St. Joe, Fla. No. MC 104819 Sub 93, filed December

15, 1955, C. E. McBRIDE, doing business

as COLONIAL FAST FREIGHT LINES. P O. Box 2169, 1201—1st Ave. N., Birmingham, Ala. Applicant's attorney Bennett T. Waites, 531-34 Frank Nelson Building, Birmingham 3, Ala. For authority to operate as a common carrier, over irregular routes, transporting: Meats, meat products, and meat byproducts, from Tupelo, and Jackson, Miss., to points in Maine, New Hampshire. Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, Wisconsin, Illinois, Indiana, Kentucky, West Virginia, Virginia, Maryland, Delaware, North Carolina, South Carolina, Tennessee, Alabama, Georgia, Florida and the District of Columbia. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Fennsylvama, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

No. MC 104960 Sub 22, filed December 15, 1955, MOTOR FUEL CARRIERS, INC., 404 Elm Ave., (P. O. Box 976), Panama City, Fla. For authority to operate as a common carrier, over irregular routes, transporting: Fuel oil, as defined by the Commission, in bulk, in tank vehicles, from Port St. Joe, Fla., and points within ten miles thereof, to points in Alabama within 300 miles of Port St. Joe, Fla. Applicant is authorized to conduct irregular route operations in Florida, Georgia, Alabama, North Carolina, South

Carolina and Mississippi.

No. MC 107107 Sub 71, filed September 15, 1955, published in the September 23, 1955 issue, page 7241, amended and republished in the October 12, 1955, issue, page 7628, amended, ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th St., Miami, Fla. Applicant's attorney Frank B. Hand, Jr., Transportation Bldg., Washington 6, D. C. For authority to operate as a common carrier over irregular routes, transporting: Meat, meat products, meat by-products; dairy products; frozen foods; fresh and processed fruits, vegetables, fish, scafood, and nuts; condiments; spices; bakery supplies, materials, and products; candy; confectionery; salad dressings; cocoa; coffee; pie filler; mince mcat; ccrcals; olives; flavoring compounds, syrups, and extracts; edible and cooking oils; macaroni; spaghetti; and rice, from the New York, N. Y. Commercial Zone, as defined by the Commission, and points in Nassau, Suffolk, Rockland, and Westchester Counties, N.Y., those in Bergen, Passaic. Union, Essex, Middlesex, Somerset, and Morris Counties, N. J., and points in the Philadelphia, Pa. Commercial Zone, as defined by the Commission, to Atlanta, Ga., Sanvannah, Ga., and points in Florida; empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application on return. Applicant is authorized to conduct operations in Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New

Jersey, New York, North Carolina, Ohio, Ol:lahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Wisconsin, and the District of Columbia.

Note: Applicant will surrender any duplicating authority now held.

No. MC 107496 Sub 69, filed December 16, 1955, RUAN TRANSPORT CORPO-RATION, 403 S. E. 30th St., Des Momes, Iowa. For authority to operate as a common carrier over irregular routes, transporting: Fertilizer in bulk, m hopper vehicles, from Omaha, Nebr., to points in Iowa. Applicant is authorized to conduct operations in Iowa, Minnesota, South Dakota, Nebraska, North Dakota, and Wisconsin.

No. MC 107515 Sub 202, filed December 16, 1955, REFRIGERATED TRANS-PORT CO., INC., 290 University Ave., S. W. Atlanta, Ga. Applicant's attorney Allan Watkins, Grant Bldg., Atlanta 3, Ga. For authority to operate as a common carrier over irregular routes, transporting: Frozen foods, from Knoxyille, Tenn., to points in Texas, Arkansas, Missouri, Kansas, Nebraska, Iowa, Wisconsin, Minnesota, Oklahoma, Alabama, Louisiana (except New Orleans and Chalmatte) Mississippi, North Carolina, South Carolina and Florida. Applicant is authorized to conduct operations in Georgia, Tennessee, Louisiana, Alabama, Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Wisconsin, Arkansas, Minnesota, Oklahoma, Texas, North Carolina, South Carolina, Florida, Mississippi, Iowa and Nebraska.

No. MC 109448 Sub 5, filed December 15, 1955, LOR-AM TRUCKING COM-PANY, INC., Milan Ave., P. O. Box 101, Amherst, Ohio. Applicant's attorney Herbert Baker, 50 W. Broad St., Columbus 15, Ohio. For authority to operate as a common carrier over irregular routes, transporting: Sandstone and sandstone products, in dump trucks, from Amherst, Ohio and points within five miles of Amherst to points in Pennsylvania on Pennsylvania Highway 88 between Beaver Falls and Pittsburgh, inclusive of Beaver Falls and Pittsburgh, those on Pennsylvania Highway 51 between Monaca, Pa. and Pittsburgh, Pa., inclusive of Monaca, those in Pennsylvania and New York on Pennsylvania Highway 5 and New York Highway 5 between Erre, Pa. and Buffalo, N. Y., inclusive of Erre and Buffalo, and those in Pennsylvania and New York on U.S. Highway 20 between Erie and Buffalo: damaged, defectire, or returned shipments of the abovenamed commodities on return. Appliant is authorized to conduct operations in Ohio, Indiana, Michigan, Illinois, Kentucky, West Virginia, and New York. No. MC 110012 Sub 5, filed November

14, 1955, G. B. C. INCORPORATED, 311 Mohawk Street, Morristown, Tenn. Applicant's attorney W. J. Barron, 21-22 Hamilton National Bank Building, Morristown, Tenn. For authority to operate as a common carrier, over irregular routes, transporting: New furniture, crated, uncrated and wrapped, from points in Carter, Greene, Hamblen and Knox Counties, Tenn., to points in Connecticut, Massachusetts and Rhode Island. Applicant is authorized to conduct 10090 NOTICES

operations in Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin and the District of Columbia.

No. MC 111138 Sub 6, filed December 12, 1955, COLONIAL & PACIFIC FRIGIDWAYS, INC., 275 C North Center Street, (P O. Box 2169) Birmingham, Ala. Applicant's attorney Bennett T. Waites, Jr., 531–34 Frank Nelson Building, Birmingham 3, Ala. For authority to operate as a common carrier over irregular routes, transporting: Foods and food products, requiring refrigeration in transit, between points in Alabama and Tennessee, on the one hand, and, on the other, points in Washington, California and Oregon. Applicant is authorized to conduct operations in Illinois, Iowa, Wisconsin, California, and Washington.

No. MC 113528 Sub 4, filed December 5, 1955, MERCURY FREIGHT LINES, INC., 715 N. Joachim Street, Mobile, Ala. Applicant's attorney Drew L. Carraway, Suite 618, Perpetual Building, "E" Street, N. W., Washington 4, D. C. For authority to operate as a common carrier over regular routes, transporting: General commodities, except articles of unusual value, Class A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk, and those requiring special equipment, (1) between Birmingham, Ala., and Fort Worth, Tex., from Birmingham over U.S. Highway 11 to junction U. S. Highway 80, thence over U. S. Highway 80 to Fort Worth, and return over the same route, serving Dallas, Tex., as an intermediate point; (2) between Birmingham, Ala., and Houston, Tex., from Birmingham over U.S. Highway 11 to Poplarville, Miss., thence over Mississippi Highway 26 to the Mississippi-Louisiana State line, thence over Louisiana Highway 21 to Hammond, La., thence over U.S. Highway 190 to Kinder, La., thence over U.S. Highway 165 to junction U. S. Highway 90, thence over U. S. Highway 90 to Houston, and return over the same route, serving Beaumont, Tex., as an intermediate point; (3) between Selma, Ala., and junction U.S. Highways 11 and 80, over U.S. Highway 80, serving no intermediate points; and (4) empty equipment, between Dallas, Tex., and Houston, Tex., over U.S. Highway 75, serving no intermediate points. Applicant is authorized to conduct operations in Alabama and Florida.

Note: (a) Applicant seeks authority to perform through service and tack, join, or combine the routes described in (1), (2), and (3) above at all junction points, and including junction U.S. Highways 80 and 11 at or near Meridian, Miss., and junction U.S. Highways 80 and 11 at or near York, Ala., and (b) applicant also seeks to perform through service and tack, join, or combine the routes described above in (1), (2), and (3) at all points of junction with authorized regular route operations irrespective of whether said junction points are service points; and including junction U.S. Highway 80 and Alabama Highway 5 at or near Browns, Ala., junction U.S. Highway 11 and Alabama Highway 5 southwest of Bucksville, Ala., at Selma, Ala., and at Birmingham, Ala. Ap-

plicant further states that the purpose of this application is to be in a position to move empty equipment between the above two termini points as needed if necessary.

No. MC 113681 Sub 10, filed December 14, 1955, BAKERY PRODUCTS DELIV-ERY, INC., 404 West Putnam Ave., Greenwich, Conn. Applicant's attorney Reubin Kaminsky, 410 Asylum St., Hartford, Conn. For authority to operate as contract carrier over irregular routes, transporting: (1) bakery products, except frozen bakery products, from Saylesville, R. I., to New York, N. Y., and (2) stale, damaged, and non-salable, rejected or returned shipments of bakery products, and empty containers or other such incidental facilities (not specified) used in transporting bakery products, from New York, N. Y., to Saylesville, R. I. Applicant is authorized to conduct operations in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island and the District of Columbia.

No. MC 113975 Sub 5, filed December 8, 1955, MOVE-WAY VANS, INC., 1021 Washington Ave., S. E., Minneapolis, Minn. Applicant's attorney Franklin J. Van Osdel, First National Bank Building, Fargo, N. Dak. For authority to operate as a common carrier, over irregular routes, transporting: Buildings, complete, knocked down, or in sections, in special flatbed equipment, from points in Minnesota to points in Illinois, Kansas, Michigan, Iowa, Nebraska, Colorado, Wisconsin, Wyoming, Montana and Missouri.

No. MC 114004 Sub 7, filed December 12. 1955, ARKANSAS TRUCKING CO., INC., 862 Baseline Road (Box 1715). Little Rock, Ark. Applicant's attorney Ed E. Ashbaugh, 902 Wallace Bldg., Little Rock, Ark. For authority to operate as a common carrier over irregular routes, transporting: Trailers designed to be drawn by passenger automobiles, in secondary movements, in truckaway service, between all points in the United States including the District of Columbia, except from Jacksonville and Newport, Ark., and points within 9 miles of Newport. Applicant is authorized to conduct operations from Jacksonville and Newport, Ark, and points within 9 miles of Newport, to all points in the United States.

No. MC 114091 Sub 6, (corrected) filed September 15, 1955, clarifying amendment, filed November 28, 1955, publish page 9002, issue December 7, 1955, DIRECT TRANSPORT COMPANY OF KENTUCKY, INC., 4204 Norbourne Blvd., Lousville, Ky. Applicant's attorney. Ollie L. Merchant, 712 Louisville Trust Building, Louisville 2, Ky. For authority to operate as a common carrier over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from (1) Points in Bollinger, Cape Girardeau, Scott and Stoddard Counties, Mo., to points in Arkansas, Illinois, Kentucky, Missouri, and Tennessee. (2) Points in Gallatin. Hamilton, Jackson, Johnson, Saline, Union, White and Williamson Counties. Ill., to points in Illinois, Kentucky Missouri, and Tennessee. (3) Points in Gibson, Pike and Warrick Counties, Ind.,

to points in Illinois, Indiana and Kentucky. (4) Points in Crawford, Jackson, Jennings, Orange, Scott and Washington Counties, Ind., to points in Indiana and Kentucky. (5) Points in Dearborn, Decatur, Franklin and Ripley Counties, Ind., to points in Indiana, Kentucky and Ohio. (6) Points in Butler, Clinton and Warren Counties, Ohio, to points in Indiana, Kentucky and Ohio.

No. MC 114967 Sub 1, filed December 12, 1955, E. F. BOCK, doing business as BOCK TRANSPORT CO., 413 West Third Street, Garner, Iowa. Applicant's attorney. William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. For authority to operate as a common carrier over irregular routes, transporting: Liquid fertilizer, in tank vehicles, from Belmond, Iowa, to points in Minnesota on and south of U. S. Highway 12.

No. MC 115213 Sub 3, filed December 16, 1955, KENNETH OLIVER and JOHN McCRAW, doing business as O & M LUMBER TRANSPORT, Waldron, Ark. Applicant's attorney Thomas Harper. Kelley Building, Fort Smith, Ark. For authority to operate as a common carrier over irregular routes, transporting: (1) Lumber, from points in Scott County, Ark., to Memphis, Tenn., and (2) posts, and poles, creosoted and uncreosoted. from points in LeFlore County, Okla., to points in Arkansas, Kansas, Missouri, Oklahoma, and Tennessee. Applicant is authorized to conduct operations in Arkansas, Kansas, Missouri, Oklahoma, and Texas.

No. MC 115523 Sub 3, filed November 14, 1955, as amended, published in the December 14, 1955 issue, page 9354, amended, CLARK TANK LINES COM-PANY, 1450 Beck St., P O. Box 1895, Salt Lake City, Utah. For authority to operate as a common carrier, over irregular routes, transporting: Liquefled petroleum gases, in bulk, in tank vehicles, (1) from Salt Lake City, Utah and Woods Cross, Utah, Worland, Wyo., and Rangely, Colo. and points within twenty-five (25) miles of each, and Durango, Colo. and points in Colorado within twenty-five (25) miles of Durango, to points in Utah; those in Moffat, Routt, Rio Blanco, Garfield, Eagle, Mesa, Pitkin, Delta, Lake, Montrose, Gunnison, Chaffee, San Miguel, Ouray Dolores, San Juan, Hinsdale, Montezuma, and La Plata Counties, Colo., those in Madison, Beaverhead, Silver Bow, Deer Lodge, Granite, Ravalli, Missoula and Mineral Countier, Mont Missoula, and Mineral Counties, Mont., Yellowstone National Park, Wyo. and points in Uinta, Sweetwater, Carbon, Lincoln, Sublette, Teto, Park, Big Horn, Hot Springs, Washakie, and Fremont Counties, Wyo., those in Malheur, Harney, Baker, Wallowa, Union, and Umatilla Counties, Oreg., those in Adams, Valley, Lemhi, Washington, Custer, Clark, Fremont, Teton, Madison, Jefferson, Butte, Blaine, Camas, Elmore, Boise, Gem, Payette, Ada, Canyon, Gooding, Lincoln, Owyhee, Twin Falls, Jerome, Minidoka, Cassia, Oneida, Power, Bingham, Franklin, Bear Lake, Caribou, Bonneville, and Bannock Counties, Idaho; (2) from Worland, Wyo. and Rangely, Colo. and points within twentyfive (25) miles of each, and Durango. Colo. and points in Colorado within twenty-five (25) miles of Durango, to

White Pine, Eureka, Lander, and Elko Counties, Nev.

No. MC 115601 Sub 2, filed December 12, 1955, BROOKS ARMORED CAR SERVICE, M 217 Delaware Trust Building, Wilmington, Del. Applicant's attorney. H. James Conaway, Jr., Delaware Trust Bldg., Wilmington 1, Del. For authority to operate as a contract carrier over irregular routes, transporting: Money (coin, currency, cash) bullion, stamps, cash letters, checks (letter, remittance, for collection) stocks and bonds, and all other forms of negotiable and non-negotiable instruments and securities, documents (valuable and rare). and other precious or valuable articles, precious metals and stones, and jewelry, between New York City, N. Y., and points in Delaware, including all points therein where commercial banks and/or trust companies are located, but not exclusive of other points in such State.

No. MC 115601 Sub 3, filed December 12, 1955, BROOKS ARMORED CAR SERVICE, INC., M 217 Delaware Trust Bldg., Wilmington, Del. Applicant's attorney. H. James Conaway, Jr., Delaware Trust Bldg., Wilmington 1, Del. For authority to operate as a contract carrier, over irregular routes, transporting: Money (coin, currency, cash) bullion, stamps, cash letters, checks (letter, remittance, for collection) stocks and bonds, and all other forms of negotiable and non-negotiable instruments and securities, documents (valuable and rare) and other precious or valuable articles, precious metals and stones, and jewelry, between Philadelphia, Pa., and points in Sussex and Kent Counties, Del., including all points therein where commercial banks and/or trust companies are located, but not exclusive of other points in such counties.

No. MC 115601 Sub-4, filed December 12, 1955, BROOKS ARMORED CAR SERVICE, INC., M 217 Delaware Trust Bldg., Wilmington, Del. Applicant's attorney. H. James Conaway, Jr., Delaware Trust Bldg., Wilmington 1, Del.-For authority to operate as a contract carrier over irregular routes, transporting: Precious metals and stones, jewelry, stamps, cash letters, checks (letter, remittance, for collection) stocks and bonds, and all other forms of negotiable and non-negotiable instruments and securities, documents (valuable and rare) and other precious or valuable articles, between Philadelphia, Pa., and points in New Castle County, Del., including all points therein where commercial banks and/or trust companies are located, but not exclusive of other points in such county.

No. MC 115620 Sub 1, filed December 16, 1955, LYNN PORTER, 30 West Third North St., Preston, Idaho. Applicant's attorney M. C. Harris, Cache Valley Bank Building, Logan, Utah. For authority to operate as a common carrier over irregular routes, transporting: Houses, and buildings, and empty containers or other such incidental facilities (not specified) used in transporting the aforesaid commodities, between points in Idaho, Utah, Wyoming, Colorado, Nevada, and Arizona.

No. MC 115694 Sub 1, filed December 13, 1955, A. B. HEPTINSTALL, 1503 Williamson Rd., Roanoke, Va. Applicant's attorney: Henry E. Ketner, State Planters Bank Bldg., Richmond 19, Va. For authority to operate as a contract carner, over irregular routes, transporting: Blackstrap molasses, in bulk, in tank vehicles, from Portsmouth, Va., to points in North Carolina and points in Monroe, Greenbrier, Summers, Nichols, Fayette, Clay, Kanawha, Putnam, Cabell, Lincoln, Wayne, Boone, and Raleigh Counties, W Va., and Sullivan, Johnson, Carter, Greene, Hawkins, Jesserson, Granger, Hamblen, Cocke, and Unicol Counties, Tenn.

No. MC 115720, filed December 12, 1955, FRANK D. BROWN doing business as BROWN TRUCK LINE, Keota, Iowa. Applicant's attorney William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. For authority to operate as a common carrier, over irregular routes, transporting: Fertilizer from Streator, Ill., to points in that part of Iowa bounded on the north by U. S. Highway 6, and on the west by U. S. Highway 69, serving all points on the portions of the highways specified.

No. MC 115721, filed December 12, 1955, WILLIAM LEO GAINES, 200 Elizaville Ave., Flemingsburg, Ky. Applicant's attorney J. M. McIntire, Jr., Flemingsburg, Ky. For authority to operate as a common carrier, over irregular routes, transporting: Fertilizer and feed, from Cincunnati, Ohio and New Albany, Ind. to points in Fleming, Mason, and Lewis Counties, Ky.

APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 1501 Sub 116, filed December 15, 1955, THE GREYHOUND CORPORATION, a corporation, 2600 Board of Trade Building, Chicago 4, Ill. Applicant's attorney L. C. Major, Jr., 2001 Massachusetts Ave., N. W., Washington 6, D. C. For authority to operate as a common carrier over a regular route. transporting: Passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, between junction of the Northeast segment of the Pennsylvania Turnpike System and the Pennsylvania Turnpike at Interchange No. 1 (North and East junction Interchange) and the eastern extension of the Pennsylvania Turnpike near Plymouth Meeting, Pa., and junction con-necting segment of the New Jersey Turnpike System and the New Jersey Turnpike at Interchange No. 6 near Roebling, N. J., over the eastern extension of the Pennsylvania Turnpil:e from Interchange No. 1 thereof to junction connecting segment of the New Jersey Turnpike System at the bridge over the Delaware, River near Edgeley, Pa. and Florence, N. J., thence over said connecting segment of the New Jersey Turnpike System to junction the New Jersey Turnpike at Interchange No. 6 thereof, and return over the same route, serving all intermediate points, and with right of access thereto at all points where there is an interchange with presently authorized routes. Applicant is authorized

No. MC 115694 Sub 1, filed December to conduct operations throughout the 3, 1955, A. B. HEPTINSTALL, 1503 Wil-amson Rd., Rosnoke, Va. Applicant's Columbia.

No. MC 1511 Sub 108, filed December 19, 1955, PACIFIC GREYHOUND LINES, a corporation, 371 Market Street, San Francisco 5, Calif. Applicant's attorney Earl A. Bagby, Greyhound Bldg., Marliet and Fremont Sts., San Francisco 5, Calif. For authority to operate as a common carrier, over regular routes, transporting: Passengers and their baggage in special operations, between Williams, Ariz., and Grand Canyon, Ariz., from Williams, over Arizona Highway 64 to Grand Canyon, and return, serving no intermediate points. Applicant is authorized to conduct regular route operations in Texas, Oregon, New Mexico, California, Arizona and Nevada.

No. MC 67226 Sub 4, filed November 21, 1955, THE BALTIMORE MOTOR COACH COMPANY, a corporation, 609-619 West Biddle Street, Baltimore 1, Md. For authority to operate as a common carrier over a regular route, transporting: Passengers and their baggage in the same vehicle with passengers, in seasonal operations, in special operations, beginning and ending at Baltimore, Md., and extending to Garden State Race Track near Camden, N. J., from Baltimore, over U. S. Highway 40 to junction New Jersey Turnpike, thence over New Jersey Turnpike to Exit No. 4, thence over New Jersey Highway 73 to junction New Jersey Highway 30, thence over New Jersey Highway 38 to Garden State Race Track, and return over the same route, serving the intermediate point of Aberdeen, Md., and the offroute point of Havre de Grace, Md. Applicant is authorized to conduct operations in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Virginia, West Virginia and the District of Columbia.

No. MC 84112 Sub 1, filed November 25, 1955, S. & S. BUS SERVICE, INC., R. D. No. 1, Rensselaer, N. Y. Applicant's attorney John J. Brady, Jr., 75 State St., Albany 7, N. Y. For authority to operate as a common carrier over irregular routes, transporting: Passengers, and their baggage in the same vehicle with passengers, in round-trip, special service all-expense tours, including hotels, sightseeing, meals and entertainment, beginning and ending at Rensselaer. N. Y. and points within 30 miles of Rensselaer, and extending to points in Connecticut, Delaware, Florida, Illinois, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia.

Nove: Applicant holds authority to transport passengers and their baggage, restricted to traffic originating at the point and in the territory indicated, in charter operations, from Albany, N. Y. and points within 30 miles of Albany, to points in Vermont, New Hampohire, Maine, Maccachusetts, Connecticut, Rhode Island, New Jersey, New York, Pennsylvania, Delaware, Haryland, Ohio, Michigan, and the District of Columbia, and return.

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APPLICATIONS FILED UNDER SECTION 5 AND 210A (b)

No. MC-F 5919, published in the February 24, 1955 issue of the Federal Register on page 1167. Amendment filed December 16, 1955, to show application as one for control and merger of operating rights and property of BOS TRUCK LINES, INCORPORATED, into BOS FREIGHT LINES, INCORPORATED. The proceeding, as amended to embrace the proposed merger, has been assigned for hearing on January 19, 1956, at Des Moines, Iowa. Application for temporary authority under Section 210a (b)

filed December 19, 1955.

No. MC-F 6159. Authority sought for control by AAA STORAGE COMPANY, INC., M. D. HOLSTON, doing business as A & B TRANSFER & STORAGE CO., 3514 McKinney Ave., Dallas, Texas, AJAX VAN LINES, INC., 2335 Gilbert Ave., Cincinnati 6, Ohio, ALL STATE MOVING & STORAGE CO., 1017 Corinth St., Dallas, Texas, AMERICAN MOVERS, INC., 19 Coker St., Water-town, Mass., N. I. CRENSHAW doing business as AMERICAN MOVERS, 140 Fredricksburg Rd., P. O. Box 5006, Beacon Hill Station, San Antonio, Texas; AMERICAN MOVING CO., INC., 715 St. James St., P O. Box 964, New Orleans, La., AMERICAN VANLINES, INC., 20th Ave. & 57th St., Brooklyn 4, N. Y., PAUL ARPIN VAN LINES, INC., 150 Manton Ave., Providence, R. I., STANLEY L. BEST and R. W. BEST, doing business as BEST MOVING & STORAGE CO., 543 Grant St., Akron, Ohio, BLACK & WHITE TRANSFER COMPANY, 814 N.
"A" St., Ft. Smith, Ark., BLUFF CITY
TRANSFER & STORAGE CO., INC., 36 E. Carolina, Memphis, Tenn., C. R. BOWLBY & SON, INC., Buena Vista Road, West Somerville, Mass., R. L. DANIEL FURNITURE & MATTRESS FACTORY, INC., 315 N. Santa Fe St., El Paso, Texas, R. E. EIDSVOLD and R. H. EIDSVOLD, doing business as DAWN MOVING & STORAGE COM-PANY, 6009 Wayzata Blvd., Minneapolis, Minn., DENAGEL BROS., INC., 154. W Union St., Newark, N. Y., CHARLES J. DICKMAN, JR., doing business as C. J. DICKMAN TRANSFER, 1715 Jacob St., Wheeling, W Va., THOMAS GUTTILLA, CHARLES J. GUTTILLA and VINCENT M. GUTTILLA, doing business as PLYM-OUTH VAN LINES, 4437 Howley St., Pittsburgh, Pa., GEORGE EDLER MOV-ING AND STORAGE CO., 8109 N. Cicero Ave., Skokie, Ill., ROBERT M. JOHN-SON and NANNIE LEE JOHNSON, doing business as ELLIS MOVING COM-PANY, 301 Shelby Ave., Nashville, Tenn., EMBASSY MOVING & STORAGE CO., INC., 9103 Brookville Road, Silver Spring, Md., EMPIRE MOVING AND STORAGE, INC., 15 W 18th St., Bayonne, N. J., W B. FOKES, doing business as FIDELITY STORAGE COMPANY, 10 Piedmont Ave., N. E., Atlanta, Ga., J. FISHMAN & SON, INC., 571 Madison Ave., Paterson, N. J. SAM R. FORD-HAM, doing business as FORDHAM TRANSFER & STORAGE CO., 804 Hoke St., East Gadsden, Ala., CARL L. LINE, doing business as GLOBE MOVING & STORAGE, 3654 Marion St., Denver, Colo., HAMMEL MOVING & STORAGE.

INC., 5415 Conner Ave., Detroit, Mich., PAUL A. HARRINGTON and ALLEN F BIEBERSTEIN, doing business as HAR-RINGTON AND COMPANY, 830 Broadway, McKees Rock, Pa., HASTY TRANSFER & STORAGE, INC., 210 N. Waco, Wichita, Kans., CHARLES W IMLACH, doing business as IMLACH MOVERS, 1155 Fort St., Lincoln Park, Mich., EDGAR D. PATRICK, doing business as LIVERNOIS MOVING & STOR-AGE COMPANY, 9125 Livernois Ave., Detroit, Mich., EARL E. LOFLAND, INC., 611 W. Front St., Wilmington, Del., McCormack-Payton Storage & Moving Company, 1919 Truman Road, Kansas City, Mo., MAJESTIC WAREHOUSES, INC., 54 W Randolph St., Chicago, Ill., MAJOR VAN LINES, INC., 601 Ocean Ave., Jersey City, N. J., CARVER MALLORY, doing business as MALLORY TRANSFER & STORAGE CO., 110701 Winner Rd., Independence, Mo., NATIONAL MOVING & WARE-HOUSE CORPORATION, 516 W 181st St., New York, N. Y., NATIONWIDE VAN LINES, INC., 47 Lincoln Place, Brooklyn, N. Y., NEEDLES MOVING & STORAGE COMPANY, 3001 Locust, St. Louis, Mo., HENRY F OWENS, INC., 129 Sherman St., Cambridge, Mass., OWINGS OF NORFOLK, INC., 857 W 44th St., Norfolk, Pa., PAXTON TRANS-FER AND STORAGE, INC., 327 N. Fairfax St., Alexandria, Va., LOUIS J. PELUSO, 214-17th St., New Brighton, Pa., PITTSBURGH WAREHOUSE & VAN COMPANY, INC., 135 S. St. Clair St., Pittsburgh, Pa., ROTHERY STOR-AGE & VAN CO., 1300 Jefferson St., Des Plaines, Ill., SALT CITY MOVERS & STORAGE CO., INC., 410 S. Franklin St., Syracuse, N. J., J. C. SHELBURNE TRANSFER & STORAGE CORPORA-TION, 4920 W Broad St., Richmond, Va., SHELTON BROS. TRUCKING CO., INC., 6323 Blair Road, N. W., Washington, D. C., JOSEPH B. SHETLER, doing business as SHETLER MOVING & STORAGE CO., 1311 First Ave., Evansville, Ind., ALEXIS E. SINES, doing business as SINES TRANSFER COM-PANY, Uniontown Road, Westminster, Md., STARCK VAN LINES, INC., 110 Avenue B., Weirton, W Va., STUART'S HOUSEHOLD AND FURNITURE MOV-ING AND STORAGE, INC., 701 N. Senate Ave., Indianapolis, Ind., SUDDATH MOVING & STORAGE CO., INC., 315-19
E. Bay St., Jacksonville, Fla., MEYER
LEVINSON, doing business as VICTORY
STORAGE COMPANY, 6012 W Girard Ave., Philadelphia, Pa., BENNETT B. WATSON; doing business as WATSON TRANSFER & STORAGE, 3300 Chartres, Houston, Texas, WEBER MOVING & STORAGE, INC., 9219 Harford Road, Baltimore, Md., and WHITEHEAD TRANSFER & STORAGE CO., 625 E. Tampa St., Springfield, Mo., of the operating rights and property of ATLAS VAN LINES, INC., 7530 S. Western Ave., Chicago 20, Ill. Applicants' attorney. Zelby & Burstein, 135 Broadway New York 6, N. Y. Operating rights sought to be controlled: Household goods, as a common carrier over irregular routes, between points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florıda, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine,

Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. Applicants are authorized to operate in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, South Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia. Application has not been filed for temporary authority under Section 210a (b)

No. MC-F 6160. Authority sought for purchase by RUTHERFORD FREIGHT LINES, INCORPORATED, 200-236 Pierce St., Bristol, Tenn., of the operating rights of CAROLINA TRANSFER & STORAGE COMPANY, INC., 1230 Morehead St., Charlotte, N. C., and for acquisition by WALTER F MULLADY, JOHN B. O'CONNOR, JOHN B. O'CONNOR. JR., and DECATUR CARTAGE CO., all of Chicago, Ill., of control of said operating rights through the purchase. Applicants' attorneys: Blaine Buchanan, 1024 James Bldg., Chattanooga 2, Tenn., and Paul R. Erwin, Law Bldg., Charlotte, N. C. Operating rights sought to be transferred: General commodities, with certain exceptions including household goods, as a common carrier over irregular routes, between Charlotte, N. C., and points within one mile of Charlotte, on the one hand, and, on the other, points in that part of North Carolina, South Carolina, Georgia, and Tennessee within 150 miles of Charlotte, N. C. Vendee is authorized to operate in Tennessee, Virginia, West Virginia, North Carolina, Georgia and South Carolina. Application has been filed for temporary authority under Section 210a (b)

No. MC-F 6161. Authority sought for control by ROADWAY EXPRESS, INC., 147 Park St., Akron, Ohio, of the operating rights and property of M. & R. TRANSPORTATION CO., INC., JUSTIN COHEN, RECEIVER, 11 Columbia Terrace, Springfield, Mass., and for acquisition by GALEN J. ROUSH and CAR-ROLL J. ROUSH, both of Akron, of control of said operating rights and property through the transaction. Applicant's attorneys: John R. Turney and William O. Turney, both of 2001 Massachusetts Ave., N. W., Washington 6, D. C. Operating rights sought to be controlled: General commodities, with certain exceptions including household goods, as a common carrier, over regular routes, between New York, N. Y., and Boston, Mass., serving all intermediate and certain off-route points: general commodities, with exceptions as specified above, over irregular routes, from and to certain points in Massachusetts, Pennsylvania, Connecticut, New Jersey, and Rhode Island; thread, games, envelopes,

and paper from Springfield, Mass., and points within 25 miles of Springfield, to points in New Jersey on and south of U. S. Highway 1, and alcoholic liquors, from Philadelphia, Pa., to Springfield, Mass. ROADWAY EXPRESS, INC., is authorized to operate in Ohio, Texas, Oklahoma, Indiana, Missouri, Michigan, Kansas, Pennsylvania, Illinois, Tennessee, Kentucky, Alabama, Georgia, North Carolina, South Carolina, West Virginia, Virginia, New Jersey, New York, Delaware, Maryland, Connecticut, Wisconsin, and the District of Columbia. Application has been filed for temporary authority under Section 210a(b)

No. MC-F 6162. Authority sought for purchase by FURNITURE EXPRESS, INC., Fluvanna Road, R. D. #1, Jamestown, N. Y., of the operating rights and property of C. M. DeKay, doing business as D. AND H. MOTOR FREIGHT CO., 72 River St., Jamestown, N. Y., and for acquisition by GEORGE E. RINDOSH. also of Jamestown, of control of such operating rights and property through the purchase. Applicant's attorney Kenneth T. Johnson, Bank of Jamestown Bldg., Jamestown, N. Y. Operating rights sought to be transferred: General commodities, with certain exceptions including household goods, as a common carrier over regular routes, between Jamestown, N. Y., and New York, N. Y., serving no intermediate points; new furniture, new household equipment, millwork, hardware mechanic's hand tools, veneer and plywood, voting machines, and voting machine accessories, over irregular routes, from, to and between points in New York, Pennsylvania, Illinois, Maryland, New Jersey, Ohio, Virginia, West Virginia, Indiana, Michigan, Wisconsin, Delaware, Tennessee, Maine, New Hampshire, Vermont, North Carolina, South Carolina and the District of Columbia. Vendee is authorized to operate in New York, Ohio, Pennsylvania, New Jersey, Maryland, Delaware, Illinois, Indiana, Michigan, Wisconsin, and the District of Columbia. Application has not been filed for temporary authority under Section 210a (b)

By the Commission.

[SEAL]

HAROLD D. McCoy, Secretary.

[F. R. Doc. 55-10387; Filed, Dec. 28, 1955; 8:49 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF DECEMBER 23, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the Federal Register.

LONG-AND-SHORT HAUL

FSA No. 31467: Trailer on flat car service-Erie Railroad Company. Filed by The Chicago and North Western Railway Company for interested rail carriers. Rates on various commodities in motor truck trailers on railroad flat cars from points in Illinois, Minnesota and Wis-

and New York taking New York, N. Y. basis of rates.

Grounds for relief: Circuitous routes embracing the Erie Railroad as participating carrier.

Tariff: Supplement 3 to Chicago and North Western Railway Company tariff I. C. C. 11319.

FSA No. 31468: Substituted service-Pennsylvania Railroad Company. Filed by Transamerican Freight Lines, Inc., Agent, on behalf of the Pennsylvania Railroad Company and interested motor carriers. Rates on various commodities in highway truck semi-trailers loaded on railroad flat cars between (1) Chicago or East St. Louis, Ill., on one hand, and Kearny, N. J., and Philadelphia and Pittsburgh, Pa., on the other, and (2) Pittsburgh, Pa., on one hand, and Kearny, N. J., on the other.

Grounds for relief: Competition with motor carriers.

Tariff: Transamerican Freight Lines, Inc., I. C. C. No. 1.

FSA No. 31469: Woodpulp-Folcy, Fla., to Menominee, Mich. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on woodpulp, carloads from Foley, Fla., to Menominee, Mich.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 106 to Agent Spaninger's I.-C. C. 1260.

FSA No. 31470: Building paper-Battle Creek, Mich., to Eastern Points. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on paper, building, damaged, carloads from Battle Creek, Mich., to Brooklyn, N. Y., and Philadelphia. Pa.

Grounds for relief: Carrier competition and circuity.

By the Commission.

HAROLD D. MCCOY, [SEAL] Secretary.

[F. R. Doc. 55-10386; Filed, Dec. 28, 1935; 8:49 a. m.l

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 1103, Amdt.]

JACOB CHRISTIAN

In re: Estate of Jacob Christian, deceased; File No. D-28-2016; E. T. sec. 2092.

Vesting Order No. 1103, dated March 23, 1943, is hereby amended by deleting subparagraph (1) thereof and substituting in lieu thereof the following:

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary, by Charles N. Aicher and Andrew W. Zirkel, Executors of the Estate of Jacob Christian, deceased, and by Andrew W. Zirkel, Trustee for the benefit of Elizabeth Christian, or his successor, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York.

All other provisions of said Vesting Order No. 1103 and all actions taken by or on behalf of the Attorney General of

consin to specified points in New Jercey the United States in reliance thereon, pursuant thereto and under the authority thereof, are hereby ratified and confirmed.

> (40 Stat. 411, 50 U.S. C. App. 1: 55 Stat. 839, 59 U. S. C. App. Sup. 616; Pub. Law 322, 79th Cong., 60 Stat. 50; Public 671, 79th Cong.; 69 Stat. 925; E. O. 9193, July 6, 1942, 7 F. R. 5203, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 10 F. R. 6917, 3 CFR 1945, Supp., E. O. 9763, October 14, 1946 11 F. R. 11931)

Executed at Washington, D. C., on December 22, 1955.

For the Attorney General.

DALLAS S. TOWNSEND, [SEAL] Assistant Attorney General, Director Office of Alien Property.

[P. R. Doc. 55-10411; Filed, Dec. 28, 1955; 8:55 a.m.]

[Discolution Order 114]

STEEL UMON-SHEET PILING, INC.

Whereas by Vesting Order No. 202, dated October 2, 1942 (7 F. R. 8668, October 27, 1942) and Executive Order 9788, dated October 14, 1946 (11 F. R. 11981, October 15, 1946), there is vested in the Attorney General of the United States (hereinafter referred to as the "Attorney General") all of the issued and outstanding stock (consisting of 250 shares of \$100 par value common) of Steel Union-Sheet Piling, Inc. (hereinafter referred to as the "Company"), a New York corporation; and

Whereas a Certificate of Dissolution of said Company was filed with the Secretary of State of the State of New York on June 23, 1942, and a Certificate of Termination was filed in New York County pursuant to Article 10 of the New York Stock Corporation Law; and

Whereas the Company has been substantially liquidated.

Now, therefore, under the Trading with the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, the undersigned, after investigation:

1. Finding that the known assets reflected on the current balance sheet of the Company consist of (a) funds in the amount of \$12,790.81 on deposit with Chemical Bank and Trust Company, New York; (b) eight foreign accounts receivable, aggregating \$9,118.67, and (c) a contingent claim against Vereinigte Stahlwerke, of Dusseldorf, Germany in the amount of \$20.902.92:

2. Finding that the liabilities reflected on the Company's current balance sheet consists of (a) an indebtedness in the amount of \$3,712.86 due to the Attorney General of the United States for funds advanced or services rendered to or on behalf of the Company subsequent to its dissolution; (b) six foreign accounts payable aggregating \$27,766.13, each of which accounts payable is vested in the Attorney General, three of said accounts having been vested by Vesting Order 3539 (9 F.R. 5353) two by Vesting Order 14411 (15 F. R. 1619), and one by Vesting Order 15104 (15 F R. 6526) and (c) a claim in the amount of \$2,456.25 by Eugene R. Pickrell.

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3. Having determined that it is in the national interest of the United States that the Company be dissolved, and that its assets should be distributed;

Hereby orders, that the officers and directors of the Company (and their successors, or any of them) wind up the affairs of the Company and distribute the assets of the Company coming into their possession, as follows:

1. They shall first pay current expenses and necessary charges in effecting, the dissolution of the Company and the winding up of its affairs;

2. They shall then pay all federal, state, and local taxes, if any, owed by or

accruing against the Company;

3. They shall then pay on a pro rata basis to the extent of available cash the liabilities heremabove referred to in Finding 2 (b) and 2 (c)

4. They shall then pay over, transfer, assign and deliver to the Attorney General all funds and property of whatsoever kind and nature (including after

discovered assets) and any and all claims of whatsoever kind and nature, the same (or the net proceeds thereof, if any), to be applied by the Attorney General as follows: First, in payment on a pro rata basis of the liabilities referred to in Finding 2 (b) and 2 (c) secondly, as a liquidating distribution of assets to the Attorney General as holder of all of the issued and outstanding stock of the Company and

Further orders, that nothing herein set forth shall be construed as prejudicing the rights under the Trading with the Enemy Act, as amended, of any person who may have a claim against the Company to file such claim with the Attorney General against any funds or property received by the Attorney General: Provided however That nothing herein contained shall be construed as creating additional rights in such person: Provided further That any such claim against said Company shall be filed with or presented to the Attorney

General within the time and in the form and manner prescribed for such claims by the Trading with the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and further orders, that all actions taken and acts done by the officers and directors of the Company pursuant to this order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to section 5 (b) (2) of the Trading with the Enemy Act, as amended (50 U. S. C. App. 5), and the acquittance and exculpation provided therein.

Executed in Washington, D. C., on December 22, 1955.

For the Attorney General.

[SEAL]

Paul V Myron, Deputy Director, Office of Alien Property.

[F R. Doc. 55-10412; Filed, Dec. 28, 1955; 8:55 a. m.]